

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMONWEALTH OF PENNSYLVANIA  
HOUSE OF REPRESENTATIVES  
TRANSPORTATION COMMITTEE  
HIGHWAYS SUBCOMMITTEE

\* \* \*

In re: Local Radar - House Bill 1961

\* \* \*

Verbatim record of hearing held at the  
Regional Enterprise Tower, 425 Sixth Avenue,  
Fetterloff Room, 23rd Floor, Pittsburgh,  
Pennsylvania, on Wednesday,

August 22, 2001  
10:15 A.M.

\* \* \*

MEMBERS OF THE COMMITTEE

- HON. RICHARD GEIST, CHAIRMAN
- HON. DENNIS LEH, SUBCOMMITTEE CHAIRMAN
- HON. PAUL COSTA
- HON. DICK HESS
- HON. SUSAN LAUGHLIN
- HON. JOHN PIPPY
- HON. JESS STAIRS
- HON. JERE STRITTMATTER

ALSO PRESENT:

- Eric C. Bugaile, Majority Executive Director
- Paul E. Parsells, Minority Executive Director

Reported by:  
Nancy J. Grega, RPR

*Original*

INDEX

1		<u>Page</u>
2	<u>Witnesses:</u>	
3	Richard Baric Chief of Police, Greensburg	9
4	Lt. Jeffrey Schueller Cranberry Township/Butler County	30
5		
6	Steve Minell Director of Public Safety, Cranberry Township	33
7	Clement Matta First Vice President, Pennsylvania State Association of Boroughs	46
8		
9	Ed Troxell	50
10	Lt. Ralph Boura Penn Township Police Department, Westmoreland County	53
11		
12	Chief Michael Mastriani	53
13	Gary Klingaman Findlay Township Manager	75
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 CHAIRMAN GEIST: I'm going to call the hearing in  
2 to order and we'll get started. Before we do, why don't we  
3 start around the room and we can all introduce ourselves and  
4 start with our member of the press down here to the right.

5 MR. ANDRASOVSKY: I'm Jeff Andrasovsky from the  
6 Butler Eagle.

7 MR. BARIC: Chief Rich Baric from the City of  
8 Greensburg Police Department.

9 MR. MINELL: I'm Steve Minell, the Public Safety  
10 Director for Cranberry Township.

11 MR. SCHUELLER: Jeff Schueller, Lieutenant with  
12 Cranberry Township Police.

13 REPRESENTATIVE STRITTMATTER: Jere Strittmatter,  
14 a State Legislator from Lancaster County.

15 MR. PARSELLS: Paul Parsells, Director of the  
16 Transportation Committee for the Democratic Caucus.

17 REPRESENTATIVE COSTA: Paul Costa, State Representa-  
18 tive, Wilkins Township.

19 CHAIRMAN GEIST: He used to be on this committee.

20 MR. BUGAILE: Eric Bugaile. I am the Republican  
21 Director of the Committee.

22 CHAIRMAN GEIST: Rick Geist, Altoona.

23 SUBCOMMITTEE CHAIRMAN LEH: Dennis Leh. I'm the  
24 Chairman of the Subcommittee on Highways and the author of  
25 what will be House Bill 1961 and I represent eastern Berks

1 County.

2 REPRESENTATIVE HESS: Representative Dick Hess,  
3 Bedford, Fulton, Member of the Transportation Committee, Sub-  
4 committee Chairman on Highway Safety.

5 MR. TROXELL: I'm Ed Troxell. I'm with the  
6 Boroughs Association as their Director of Governmental  
7 Affairs.

8 MR. MATTA: Clem Matta, Vice President of the  
9 Pennsylvania State Association of Boroughs.

10 MR. BOURA: Ralph Boura, a Lieutenant with Penn  
11 Township Police, Westmoreland County.

12 MR. LEWIS: Doug Lewis, Penn Township Police Depart-  
13 ment.

14 MR. MASTRIANI: Chief Mike Mastriani from Penn  
15 Township Police Department.

16 CHAIRMAN GEIST: Thank you all very much for coming  
17 today. Before I turn this over to Dennis, I want to make a  
18 few remarks. Since I have been in the General Assembly for  
19 23 plus years, every term we have had multiple bills to  
20 legalize the use of radar by local governments and we have  
21 had many amendments. In this Committee we have had one bill  
22 that we promised Ed Connor (phonetic) we would try to move  
23 out of committee and it got a grand total of two votes.

24 Now, we sit down three years ago and decided that  
25 we would try to craft a piece of legislation with the help

1 of those who do the work every day and a bill that would  
2 satisfy the General Assembly and a bill that would show that  
3 local governments can responsibly use this tool. In the mean-  
4 time, while we are doing that, we have had various House  
5 members and various police departments who have pushed  
6 members into offering ill-advised pieces of legislation.  
7 Last term Representative Steil offered an amendment on the  
8 floor of the House with, I think, he got 28 or 34 votes. Ed  
9 could probably tell you exactly who voted for it and against  
10 it. I think it did, at that time, a lot of harm to what we  
11 were doing. I have said from the get-go that there is only  
12 one Representative in the General Assembly who has the  
13 ability and who has the trust of the General Assembly to do  
14 a bill like that and that's Dennis Leh. And Dennis has  
15 worked diligently on this piece of legislation and we believe  
16 that right now we have a very fair piece of legislation that  
17 needs its day in the sun. I also will tell you that I have  
18 personally been intimidated by a police chief about this  
19 legislation and I am very unhappy about it personally and  
20 I've talked to Ed Connor about it at length and I've talked  
21 to our folks at home, both of my chiefs and my district very  
22 much want it and I just think it's a shame that we resort to  
23 legislative tactics that are way below the belt. So, I just  
24 want to get that out in the open.

25 Dennis has done a great job with this and I cannot

1 tell you whether or not this bill is in its final form or  
2 not but I can tell you that this Chairman will not back away  
3 from any of the provisions that are in it and I think that is  
4 clearly understood by everybody that has been involved with  
5 drafting it and we need to move on from there and get as much  
6 good input as we possibly can because we think the bill could  
7 be made much better. With that, I want to turn the hearing  
8 over to Dennis. He has done a fantastic job on this. He  
9 has taken all of the slings and arrows and bullets and knives  
10 in the back and everything else and sometimes the proponents  
11 of this bill are worse than those against it. I'm going to  
12 turn it over to Dennis and let him run the whole thing.

13 SUBCOMMITTEE CHAIRMAN LEH: Thank you, Mr. Chair-  
14 man, and I too would like to thank you all for coming here  
15 today. We are anxious to hear what you have to say.

16 As Rick has said, he basically has given me the  
17 charge of putting together a piece of legislation that would  
18 enable local municipalities to use local radar. During the  
19 process, as Rick said, we met with Chief Connors. We met  
20 with Ed Troxell with the Pennsylvania Association of  
21 Boroughs; met with -- I guess the last meeting we included  
22 Edam Herr (phonetic) who is with the Pennsylvania Associa-  
23 tion of Townships. We have tried to include everybody we  
24 could and, as Rick said, a lot of the pieces of legislation,  
25 whether they be bills or in amendment form, that have been

1 introduced in the House basically provided local radar options  
2 carte blanche without any restrictions and I can tell you,  
3 after being in the House for over 16 years, there is no way  
4 a bill like that would ever see the light of day either in  
5 being able to get it out of committee or, if it would get  
6 out of committee, it would never pass on the House floor.  
7 There must be some guidelines and, for lack of a better term,  
8 restrictions. I know when the press first questioned me  
9 about this bill and I mentioned some of the restrictions and  
10 provisions that would be in it, I too got a lot of nasty  
11 letters from a lot of chiefs, even some in my own area, who  
12 thought it was unconscionable for us to question their  
13 integrity and what they would do. The point is, like I said,  
14 and like Rick said, without some restrictions, you will not  
15 see a radar bill.

16 The restrictions, and I don't think they are overly  
17 bearing but they would be -- in other words, in the bill some  
18 of the restrictions would be radar would be made available  
19 only to fulltime police departments and fulltime officers  
20 who have been certified therein radar, I'm sorry, officers  
21 utilizing radar must be reasonably visible with their cars.  
22 Of course, a lot of times I hear comments, well, the State  
23 Police, they hide their cars. Well, State Police policy says  
24 they are not supposed to hide their cars. They are supposed  
25 to be reasonably visible. Now, does the State Police always

1 abide by that, no. I see State Police cruisers behind bridge  
2 abutments and that ticks me off. A couple of times I have  
3 even stopped and told them that they are violating their own  
4 policy. But anyway, we're not saying that your cruisers be  
5 out in plain sight with an advertisement on them that you are  
6 running radar but simply that a reasonable person as he's  
7 driving past, he wouldn't see it out of the peripheral vision,  
8 of his own peripheral vision. He wouldn't see your head-  
9 lights peeking out from behind a billboard or something. But  
10 anyway, and a cap would be placed on the fines and no points  
11 would be assessed to the driver. In defense from prosecution,  
12 there would be a defense mechanism from prosecution if the  
13 offender could prove that the municipality is collecting more  
14 than five perCent of its annual revenue from traffic fines  
15 with radar and local government would also have to adopt an  
16 ordinance to use radar. Therefore, it would be advertised  
17 locally and we like that idea simply because it does create  
18 local input. It gives the residents, the citizens, the  
19 voters from that municipality the right to tell their super-  
20 visors or respond to their supervisors if they want radar.

21 Let me say that my own district, although I have  
22 never been a staunch opponent of radar, I have always been  
23 skeptical of radar. However, my district is changing. I  
24 live in a district that is growing rapidly with population.  
25 What was once country roads with farmlands on either side



1 are now roads with residential homes and children on either  
2 side. Roads that were once 50 miles an hour are now 30 but  
3 people still travel 50 and 55 on them and parents are  
4 concerned about the welfare and safety of their kids. My  
5 local police departments have told me that, and I can under-  
6 stand this, Vascar simply will not serve the purpose in those  
7 areas. They need a radar unit which, I think, you people all  
8 understand this coming from the backgrounds that you come.  
9 The radar unit would be much more effective.

10 So, my bill, if enacted, would give you the ability  
11 to use local radar. However, there would be some restrictions  
12 but when you look at the restrictions, it's almost identical  
13 to what the State Police have. Anyway, with that, we are  
14 going to move ahead with our testifiers and I would only ask,  
15 we do have one extra testifier and because of that, I would  
16 ask, where possible, if you could possibly summarize your  
17 remarks so we can ask questions too because if you go on too  
18 long and we have a lot of questions which we need to have  
19 answered, we could be here all afternoon and I don't think  
20 anybody wants to do that. So, without further ado, our first  
21 testifier is Richard Baric. Is that how you pronounce that,  
22 Chief?

23 MR. BARIC: That's correct.

24 SUBCOMMITTEE CHAIRMAN LEH: Okay. And you're Chief  
25 of Police of Greensburg?

1 MR. BARIC: City of Greensburg Police.

2 SUBCOMMITTEE CHAIRMAN LEH: Okay. Have a seat.

3 MR. BARIC: Future home of Maglev.

4 SUBCOMMITTEE CHAIRMAN LEH: We certainly hope so.

5 MR. BARIC: Sir, when Maglev comes to Greensburg,  
6 you ride it out and we will certainly buy you dinner because  
7 we certainly hope that happens. I buy a lot of dinners. I  
8 lose a lot of bets.

9 Once again, good morning, and thank you very much  
10 for inviting me here to testify before this House Subcommittee.  
11 My name is Richard Baric. I am the Chief of Police for the  
12 City of Greensburg, Westmoreland County. I am also the Police  
13 Training Coordinator for Westmoreland County's Municipal  
14 Police Academy.

15 The purpose of my testimony here today is to  
16 express the league of cities, boroughs and municipalities  
17 support for House Bill 1961 which would authorize local police  
18 officers to use radar. Our organization represents some 69  
19 cities, boroughs, townships and municipalities in the Common-  
20 wealth. The league has adopted a position of support for  
21 this bill after carefully considering the views of our  
22 members in giving due consideration to the safeguards that  
23 are enumerated in the proposed legislation. Our support for  
24 this legislation is based solely upon public safety concerns  
25 and the need for efficient deployment of local police

1 resources.

2           According to PennDot, Pennsylvania has over 119,000  
3 miles of roads and highways; 34 percent or 4,600 miles are  
4 State highways and 66 percent, 78,700 miles, are municipal  
5 roads. In 2000 there were 147,200 reportable traffic crashes  
6 on State and local roadways, the highest number of reportable  
7 crashes in the last five years. These crashes claimed over  
8 1500 lives and injured over 131,000 people. Of the 1,520  
9 traffic deaths, 194 or 13 percent of those were solely speed  
10 related. In other words, it was determined that speed was  
11 the prime contributing factor to the accident. In addition,  
12 there was slightly less than 21,000 non-reportable crashes  
13 last year in Pennsylvania where speed related violations were  
14 listed as the prime contributing factor. Speed related  
15 violations were the number one cause of reportable crashes  
16 in Pennsylvania last year. Local municipal officials know  
17 firsthand from firsthand experience what the PennDot  
18 statistics confirm, speeding traffic significantly increases  
19 the risk to local motorists and to pedestrians.

20           It is important to note that the number of persons  
21 killed or injured in Pennsylvania per 100 million vehicle  
22 miles driven is lowest on Pennsylvania's interstate highways  
23 and on the Pennsylvania Turnpike System, roadways which are  
24 traditionally patrolled by the State Police who aggressively  
25 enforce speed restrictions with radar. Conversely, the

1 number of persons killed or injured per 100 million vehicle  
2 miles driven is highest on State highways other than the  
3 Interstate System and the Pennsylvania Turnpike. While there  
4 are certainly some other factors at play, we should not dis-  
5 count the important role that radar may play in reducing the  
6 number of speed related accidents on our roadways.

7           Just last week the Congressional General Accounting  
8 Office reported that while urban freeways nationwide have a  
9 fatality rate of .79 fatalities per 100 million miles  
10 traveled, local rural roads recorded a fatality rate of 3.79  
11 fatalities per 100 million miles traveled. Mr. Lindsay  
12 Griffin, Director of the Traffic Safety Center at Texas A&M  
13 University attributes the higher fatality rates to poor  
14 quality road maintenance and to higher travel speeds on rural  
15 two-lane roadways. I would like you to note that last year  
16 54 percent of all traffic deaths occurred in only 15 of  
17 Pennsylvania's 67 counties. Outside of Philadelphia and  
18 Allegheny Counties, the roadway systems of the 13 remaining  
19 counties are a mix of urban and rural roadways. Given the  
20 available statistical data, the league believes that radar  
21 technology used to enforce speed on our Interstate Highway  
22 System can play an important role in the local level in both  
23 urban and rural communities. Its use should not be limited  
24 to State Police enforcement activities only.

25           There are slightly more than 1200 municipal police

1 departments in the Commonwealth. Ninety-four percent of  
2 those departments have 30 police officers or less yet they  
3 bear the primary responsibility for enforcing traffic laws  
4 on both State and local highways within their jurisdiction.  
5 I believe Greensburg is typical of many of our communities.  
6 Greensburg serves as the crossroads for six State highways.  
7 Some of these highways carry as many as 20,000 vehicles per  
8 day and primary traffic enforcement activity, including speed  
9 enforcement, routinely requires our attention. The State  
10 Police at Troop A are dedicated professionals but their duties  
11 serving the 40,000 plus residents of Hempfield Township and  
12 other large townships leave little time to monitor State  
13 highways within the City of Greensburg's borders. While  
14 Greensburg dedicates substantial resources to the problems  
15 created through highways, neighborhood traffic speed enforce-  
16 ment and school zone enforcement suffers. I can tell you  
17 from personal experiences and letters that I have received  
18 from local citizens that the most common complaint is not  
19 about drugs or other activities. It is about speeding in  
20 school zones, local neighborhoods and on the State highways  
21 that we patrol. This is not an uncommon scenario for other  
22 communities in the Commonwealth also. Local law enforcement  
23 must have efficient and effective tools if we are to attack  
24 and solve these serious problems.

25 Currently, the most effective tool that law enforce-

1 ment has to measure speed and enforce speed restriction is  
2 Vascar and Acutrak. For those of you who may not be familiar  
3 with these devices, they are capable of measuring the time  
4 it takes a vehicle to travel down a roadway usually between  
5 a given distance between two white lines. The manufacturer's  
6 specifications state that these white lines should be a  
7 minimum of 400 feet apart on normal roadways and 200 feet  
8 apart in school zones. The most common way to use these  
9 devices are to sit by the roadway, watch the white lines and  
10 then give chase once the offenders, the speeding offenders  
11 come through that particular area. These devices have  
12 several serious limitations.

13 First, Pennsylvania's topography has created a  
14 roadway network in suburban and rural areas where steep  
15 grades and sharp curves are prominent. These are the areas  
16 that traditionally experience the highest number of serious  
17 accidents. Yet these are the areas that are most difficult  
18 to monitor using Vascar or other similar type devices. In  
19 like manner, urban and city settings also frequently lack a  
20 safe area for monitoring Vascar courses. While radar requires  
21 a line of sight with the roadway, it does not require that  
22 the operator be in as close proximity to the area of concern  
23 as with other speed timing devices.

24 The second concern is the necessity for painting  
25 lines in every area where enforcement is needed and then

1 maintaining those lines. There are many stretches of roadway  
2 where there is insufficient length to paint 400 feet of white  
3 line and with recent changes in the law, we also find prob-  
4 lems with the paint that's being used to maintain these white  
5 lines. It certainly doesn't adhere to the roadway as it used  
6 to. When a new hazard is identified, especially in the winter  
7 months, we must await the arrival of the paint crew before we  
8 can begin any enforcement activity. Radar will permit  
9 instant deployment to those areas where we need it and when  
10 we need it.

11           The third concern is the matter of deterrence.  
12 Unlike radar which measures a vehicle's peak speed, Vascar  
13 measures a vehicle's average speed. By simply engaging in a  
14 moderate brake while traversing a Vascar course, it is  
15 possible for the most egregious offenders to escape enforce-  
16 ment or reduce their degree of liability. The league endorses  
17 the concept that blatant serious offenders create the most  
18 risk to public safety and they must be subject to a degree of  
19 punishment necessary to deter recidivism.

20           Another critical concern is the officer's  
21 inability to get ahead of the violator and prevent high speed  
22 chases. This is especially critical in school zones and local  
23 neighborhoods. Because of the need to clearly see both white  
24 lines painted on a roadway, an officer must frequently sit in  
25 close proximity to the lines. When a violator is clocked, the

1 officer must expeditiously give chase. It is not uncommon  
2 for a local officer to terminate an enforcement activity  
3 because the risk to public safety outweighs the benefits of  
4 apprehension. In lieu of this scenario, the officer must  
5 have a chase car nearby to apprehend the violator. Keeping  
6 in mind that 95 percent of local police departments have  
7 fewer than 30 officers, this sometimes creates a substantial  
8 drain on the department resources. In the end, speed enforce-  
9 ment activity is limited. With radar, an officer may choose  
10 to monitor speeds from any area outside of the enforcement  
11 zone and ahead of the violator, that's reducing the need for  
12 quick acceleration to detain the offender. In many cases,  
13 officers are forced to drive through a 50 mile an hour speed  
14 zone at a slightly higher rate in order to catch the offender  
15 who we hope to detain.

16 A final concern is that of efficiency. Vascar and  
17 similar devices are manually operated devices that can only  
18 clock a single unit at a time. While one unit is being  
19 clocked, as many as five or six other units may be traveling  
20 through the course at speeds which are not clocked. It is  
21 not uncommon for citizens to ask us why we sit by the road  
22 and let so many speeders go and the answer is simple, we can  
23 only clock one vehicle at a time. Radar does not have this  
24 limitation and can give you continuous readouts.

25 The City of Greensburg recently commissioned a



1 study for a school zone on McLaughlin Drive in the city after  
2 numerous complaints from the area's residents about speeding.  
3 This is an area where Vascar and Acutrak are regularly used,  
4 but marginally effective because of the grade and curve of the  
5 roadway are not suitable for strict enforcement. The roadway  
6 is posted with a 25 mile per hour speed limit and has a 15  
7 mile per hour school zone. The surprising results indicated  
8 that almost 7,000 vehicles a day were traveling through this  
9 particular school zone area. Of the 1,759 vehicles clocked  
10 in the school zone during the 15 mile per hour flashing period,  
11 17 percent were traveling more than 20 miles per hour and  
12 another ten percent were traveling more than 25 miles per  
13 hour. The ability of radar to quickly and accurately monitor  
14 a succession of vehicles and lock in at only predetermined  
15 violation speeds certainly helps to improve the degree of  
16 efficiency.

17 I have given the Committee examples of situations  
18 which exist in Greensburg so that you might visualize the  
19 practical problems faced by local municipalities. Every local  
20 municipality has a McLaughlin Drive and a variety of other  
21 problem roads to contend with. The roadways often change but  
22 the problems are strikingly similar in all municipalities.

23 House Bill 1961 is an unusual piece of legislation  
24 because of the time it has taken to bring this issue to the  
25 forefront. We are one of the last states to consider adopting

1 radar legislation. It is also unusual because, unlike other  
2 legislative requests, there is no request for financial  
3 support. The local municipalities are simply requesting  
4 authority to act. We are not asking you to fund us. This,  
5 coupled with the safeguards written into House Bill 1961,  
6 should convince the Legislature that our request is sincerely  
7 made and is based solely on the interest of public safety.

8 Thank you for your time.

9 SUBCOMMITTEE CHAIRMAN LEH: Thank you very much,  
10 Chief. Because you have indicated in your support for 1961,  
11 I'm assuming that really there is nothing in that bill that  
12 you could not live with. I know there are some things that  
13 you would like not to see but we are dealing with reality  
14 here.

15 MR. BARIC: I think everyone has a temptation to  
16 finely tune or tweak a bill and quite frankly, if I had to  
17 walk out of here today and live with this bill, I think I and  
18 the representatives of the league would be able to live with  
19 it.

20 SUBCOMMITTEE CHAIRMAN LEH: You can live with it  
21 and it would be sufficient for you to do your job in your  
22 municipality?

23 MR. BARIC: Quite certainly. I can tell you, after  
24 doing a little research in house, the five percent cap on  
25 fines is not a concern to us. The City of Greensburg would

1 never reach that cap. One footnote for the legislators  
2 though. I think it's fair to say that most of the time,  
3 whenever our officers attend hearings on speeding violations,  
4 they are losing propositions for us. The overtime far  
5 exceeds any fines we brought in. But, sir, if you ever have  
6 a chance to stop in my office and see the letters from  
7 private citizens and organizations such as Slow Down For  
8 Children, you would understand that the pressure is on us to  
9 do a much better job in those areas.

10 CHAIRMAN GEIST: Do you think that there is a  
11 keen understanding in local government of the 85 percentile  
12 rule?

13 MR. BARIC: As far as traffic concerns, sir?

14 CHAIRMAN GEIST: Yes.

15 MR. BARIC: You're talking about traffic studies.  
16 Not as much as there should be.

17 CHAIRMAN GEIST: The General Assembly doesn't  
18 understand it.

19 MR. BARIC: That's correct.

20 CHAIRMAN GEIST: But it's an integral part of this.

21 MR. BARIC: And you'll see it referred to in our  
22 study on McLaughlin Drive that I have attached.

23 CHAIRMAN GEIST: That's what I was referring to.

24 SUBCOMMITTEE CHAIRMAN LEH: Representative John  
25 Pippy from Allegheny County and Representative Susan Laughlin

1 from Pittsburgh, Allegheny County.

2 CHAIRMAN GEIST: Her new district is going to Ohio.

3 SUBCOMMITTEE CHAIRMAN LEH: Any questions of any  
4 members of the Committee?

5 REPRESENTATIVE LAUGHLIN: When you mentioned  
6 McLaughlin Drive, that school zone there, do they have a  
7 blinking light indicating a school zone?

8 MR. BARIC: Yes, madam. If you refer to the back  
9 of my document, you will see photographs of McLaughlin Drive  
10 and I wanted to show you the set-up of the drive and how it's  
11 not only on a grade but it's on a curve and how difficult it  
12 is to get out there and see Vascar lines. When you look at  
13 the picture in the back of my hand-out, you'll see, I'm six  
14 foot four. I'm standing six foot four high with my camera.  
15 When you are sitting in a patrol car, you cannot see those --  
16 it's very difficult to see the lines on the roadway and, as  
17 always, if there is any question in the officer's mind about  
18 the accuracy of the reading, we allow the violator to proceed  
19 and do not engage.

20 SUBCOMMITTEE CHAIRMAN LEH: Any further questions  
21 from members of the Committee?

22 REPRESENTATIVE COSTA: Just real quickly. You have  
23 the manpower to position people there all the time because I  
24 think that's --

25 MR. BARIC: No, sir, I do not but we do position

1 people on a regular basis. Can I do it daily, no, but on  
2 North Main Street in the City of Greensburg at the Junior  
3 High School, because of our concern and our inability because  
4 of congested traffic to run any type of speed enforcement, we  
5 assign an officer to an intersection there every day to  
6 supplement the school guard that is already there.

7 REPRESENTATIVE COSTA: I just go back to my youths  
8 in the area where I lived, there was a street that almost  
9 every single day there was a police car there and it took a  
10 year or so but it got people to slow down on this area. The  
11 police car may not be there anymore but I still make sure I  
12 hit my brakes when I go through there. It's kind of a Pavlov's  
13 dog. You are going to have to train people to expect them to  
14 see you there.

15 MR. BARIC: Sir, they expect to see us there on a  
16 regular basis. The bottom line is when we are there, we want  
17 to be effective, not only to deterrence, but we want to be  
18 effective through enforcement. We want to make sure they get  
19 the message, carry it home and keep it.

20 CHAIRMAN GEIST: For those of us who served with  
21 Amos Hutchison, believe me, we are absolutely totally focused  
22 on Greensburg.

23 MR. BARIC: Sir, I spent many hours in Amos' garage,  
24 let me assure you.

25 SUBCOMMITTEE CHAIRMAN LEH: Any other questions

1 from any other members?

2 (No response.)

3 SUBCOMMITTEE CHAIRMAN LEH: If not, thank you.

4 MR. BARIC: Thank you very much. Thank you for  
5 your time and also thank you for making it such a relaxed  
6 environment. We do appreciate it.

7 SUBCOMMITTEE CHAIRMAN LEH: We appreciate your  
8 time. Have some more coffee.

9 (The following was submitted for inclusion in the  
10 record:)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

## APPENDIX I

EXCERPT FROM THE TRIBUNE REVIEW  
AUGUST 16, 2001

## Danger on rural roads studied

### 2-lane highways are more hazardous than freeways

WASHINGTON (AP) — The road less traveled can be deadly.

More Americans are killed on rural roads than crowded urban expressways, even though the two-lanes carry less traffic. The rural roads also receive less federal money, and that has officials pressing for more safety improvements.

"There seems to be a disconnect," said Bob Fogel, associate legislative director of the National Association of Counties. "Roads owned by local governments don't seem to be getting their share of federal highway dollars, even though statistics point out that those roads tend to have a higher rate of fatalities."

Taking two specific categories, urban expressways got \$80,900 in federal funds per lane mile in 1999, while rural local roads, the lowest category, received \$100 per mile, according to Congress' General Accounting Office. Those local rural roads recorded 4,758 deaths — a rate of 3.79 per hundred million vehicle miles traveled — compared with 1,354 deaths along urban freeways, a rate of 0.79 per hundred million miles.

Numbers covering all of the nation's streets, roads and highways show the same

trend, the GAO reported. In 1999, roads passing communities of at least 5,000 people carried 1.6 trillion miles of traffic and recorded 15,816 highway deaths, a rate of 0.97 per hundred million miles. Roads farther out in the country had 1.1 trillion miles of traffic and 25,107 deaths, a rate of 2.36.

In eastern Connecticut, an 11-mile stretch of U.S. 6 where an average of two people are killed each year is called "Suicide Six." Some 2,300 miles away, another two-lane stretch of U.S. 6 through the Wasatch Mountains is considered Utah's deadliest highway, as drivers sitting behind slow-moving trucks refuse to wait for the passing lanes.

One reason for the higher fatalities is that motorists drive fast on those two-lane rural roads, said Lindsay Griffin, director of the transportation safety center at Texas A&M University's Texas Transportation Institute.

"You may not have as much traffic but you may have higher traveling speeds," Griffin said.

Also, these roads often aren't built to modern safety standards. The lanes may be narrower, and there is no median to separate oncoming traffic. And some rural roads are being used as commuter routes as suburban sprawl moves farther out from central cities and congestion on major highways increases.

"There is a need, unquestionably, for safety



Associated Press

A mother and her two children were taken to a nearby hospital Wednesday in Kerens, W.Va., after a dump truck hit their car head-on. State police said the truck driver was cited for failure to maintain control. More Americans are killed on rural roads than on crowded urban expressways.

PLEASE SEE **DANGER/A14**

# Danger on rural roads shows need for funding

## DANGER FROM/A1

improvements on these two-lane roads," said John Horsley, executive director of the American Association of State Highway and Transportation Officials and a former official of Kitsap County, Wash.

Horsley cited Georgia, Mississippi and Missouri as three states where major programs are under way to widen dangerous two-lane roads. In Wisconsin, construction is scheduled to begin next year on adding two lanes to a two-lane stretch of U.S. 12. There have been more than 30 deaths on the highway since 1985.

"Still, most federal money flows to urban highways because that's where the traffic is.

"Investment patterns are a reflection of where the travel is occurring," said Frank Moretti, research director for The Road Information Program, a research group funded by the construction industry. "Urban roads are where the heaviest travel is occurring and they're getting beaten up more."

"It costs a lot more to repair an urban highway than a rural road, especially because more work is done at night and in congested areas and because land for widening is more expensive, Moretti said.

At the same time, rural roads are being asked to carry more traffic and heavier trucks than they were designed for.

"The road historically thought about as a rural road is now becoming heavily traveled," Fogel said. "The road wasn't built to the standards needed for those purposes. Those roads are being worn down."



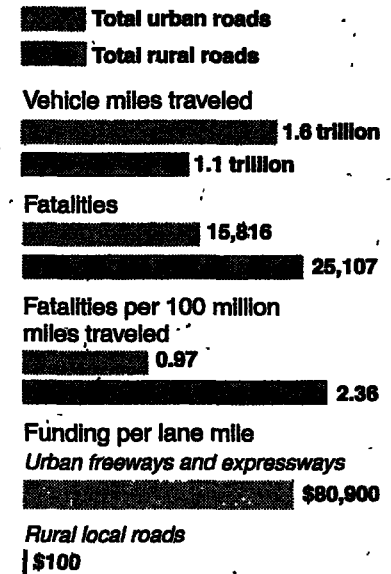
Associated Press

A trail of debris from a tractor-trailer lines the roadside Aug. 9 after it was hit by a bus carrying tourists near Valle, Ariz. The accident happened on a highway south of the Grand Canyon, injuring 32 passengers, four critically.

For more information on rural roads, visit the office report at [www.enr.com](http://www.enr.com).  
 The Road Information Program is a research group funded by the construction industry. For more information, visit [www.roadinfo.org](http://www.roadinfo.org).  
 The American Association of State Highway and Transportation Officials is a national organization of state highway and transportation officials. For more information, visit [www.aashto.org](http://www.aashto.org).

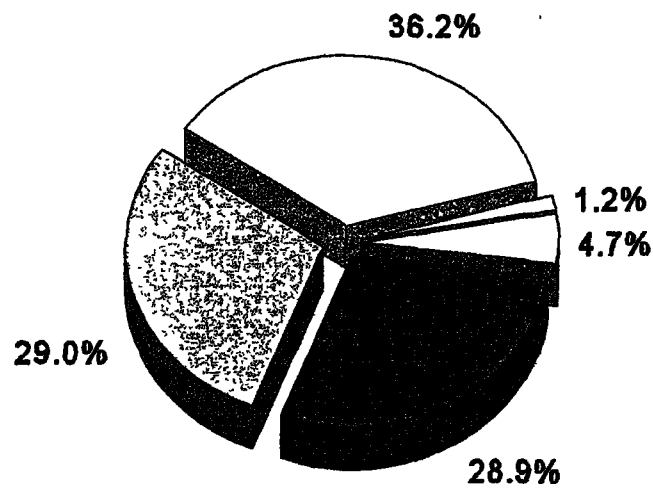
## Rural and deadly

Rural roads received less funding and saw less traffic but had many more traffic deaths than urban roads in 1999. Rural roads often do not meet modern safety standards and experts say motorists tend to travel faster on them because they are less congested.



SOURCE: General Accounting Office AP



**APPENDIX II****PENNSYLVANIA MUNICIPAL POLICE DEPARTMENT****Pennsylvania's Police Departments****Total: 1210 Departments (1997)**

- 1 to 5 Officers - 438 Departments
- 6 to 10 Officers - 351 Departments
- 11 to 30 Officers - 350 Departments
- 31 to 100 Officers - 57 Departments
- More than 100 Officers - 14 Departments

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPENDIX III  
CITY OF GREENSBURG  
TRAFFIC VOLUME COUNT  
AND  
SPEED STUDY  
FOR  
McLAUGHLIN DRIVE  
BY  
PARSON BRINCKERHOFF QUADE & DOUGLAS, INC.

5-16-01

Traffic Volume Count and Speed Study

for

McLaughlin Drive, Greensburg, PA

Introduction: On Friday, March 30, 2001, Parsons Brinckerhoff Quade & Douglas (PB) installed two traffic counters (volume/speed) along McLaughlin Drive in the City of Greensburg. Both counters were located on McLaughlin Drive, directly in front of the Nicely School between Waverly Drive and Meadowbrook Avenue. One counter was installed in the westbound lane (heading towards Route 66) and the other in the eastbound lane (heading towards Route 819). The counters remained in place for the first week of April and were picked up on Sunday, April 8, 2001. The counters collected information pertaining to vehicle volume, classification, and

1 speed.

2 Vehicle Volume and Classification Counts: The count  
3 data indicate the Average Weekday Traffic Volume  
4 (Monday through Friday) along McLaughlin Drive is  
5 between 6,800 and 6,900 vehicles per day with approx-  
6 imately 2.5% to 3.0% vehicles classified as heavy  
7 vehicles. Weekend traffic is running approximately 5%  
8 lower than the typical weekday traffic (at approximately  
9 6500 vehicles per day) and the number of heavy vehicles  
10 on a weekend is less than 1% of the total. Heavy  
11 vehicle traffic is largely limited to school or transit  
12 buses, six-tire two-axle single-unit trucks, and three-  
13 axle single-unit trucks. Tractor-trailer combinations  
14 were rarely indicated in the data.

15 Vehicle Speed: McLaughlin Drive is posted with a 25 mph  
16 speed limit and a 15 mph school zone that is activated  
17 Monday through Friday from 7:10 AM to 9:00 AM and from  
18 2:20 PM to 4:10 PM. There is a four-way stop-controlled  
19 intersection along the eastbound approach to the speed  
20 study area but it doesn't appear to have a significant  
21 effect on the speed differential between eastbound and  
22 westbound traffic at the study location. The average  
23 speed of all vehicles in both directions is 28 mph. The  
24 85th percentile speed for westbound traffic at the study  
25 location was calculated to be 34 mph. The 85th

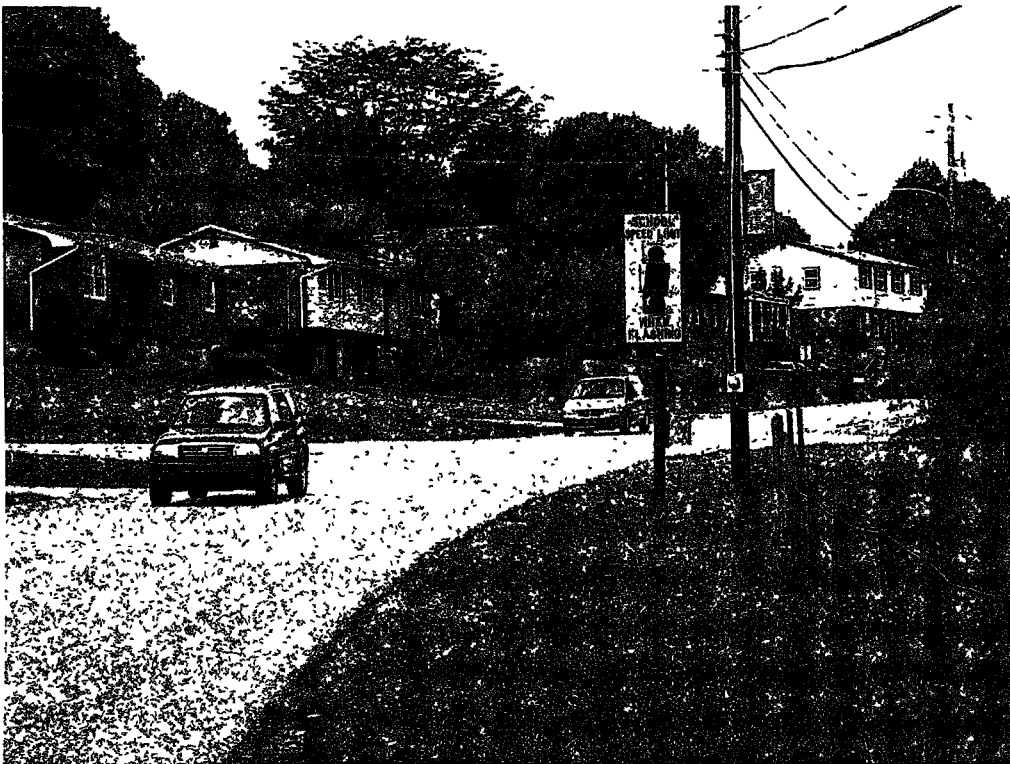
1 percentile speed for eastbound traffic at the study  
2 location was calculated to be 33 mph. The data also  
3 indicate that the majority of vehicles (50% to 60%) are  
4 currently traveling through the study location between  
5 26 mph and 35 mph.

6 PB also subdivided the data to specifically look at the  
7 speed characteristics of the vehicles during the AM and  
8 PM school zone periods. The Median speed (50th percent-  
9 ile) during the AM and PM school zone periods is between  
10 16 mph and 20 mph for both directions. The 85th  
11 percentile speed for all school zone periods was between  
12 21 mph and 25 mph. Of the 1759 vehicles "clocked" in  
13 the school zone during the 15 mph flashing period for  
14 the week of April 1, 2001; 29% were traveling less than  
15 15 mph, 71% were traveling less than 20 mph, and 90%  
16 were traveling less than 25 mph. Approximately 10% of  
17 the vehicles were traveling more than 25 mph through  
18 the school zone during the flashing period.

#### 19 WORKS CITED

20 Pennsylvania Department of Transportation. Pennsylvania  
21 Crash Facts & Statistics: 2000. Harrisburg: Bureau of  
22 Highway Safety & Traffic Engineering, 2001  
23  
24  
25

**PHOTOS OF MCLAUGHLIN DRIVE SCHOOL ZONE**



1 CHAIRMAN GEIST: We're trying to craft a piece of  
2 legislation and it's not easy.

3 SUBCOMMITTEE CHAIRMAN LEH: Patrick McHenry, I  
4 understand he is not here yet. In that case, Lieutenant  
5 Jeffrey Schueller. Is that how you pronounce that, sir?

6 MR. SCHUELLER: Yes, sir.

7 SUBCOMMITTEE CHAIRMAN LEH: From Cranberry Township,  
8 Butler County. Whenever you are ready. Once again, I would  
9 just ask if you could possibly summarize your remarks. That  
10 gives us more time for questions.

11 MR. SCHUELLER: As I stated before, my name is  
12 Jeffrey Schueller. I'm a Lieutenant with the Cranberry  
13 Township Police Department in Butler County. I'm the Senior  
14 Law Enforcement Officer for the Department. Today, Steve  
15 Minell, our Director of Public Safety, is with me. I'd like  
16 to thank the Committee -- we'd like to thank the Committee  
17 for the opportunity to testify on behalf of our residents.

18 Cranberry Township is one of the fastest growing  
19 communities in the State. Between the 1990 and 2000 census,  
20 Cranberry Township grew by almost 60 percent. This rapid  
21 growth has brought a marked increase in traffic. Currently,  
22 our residential population approaches 24,000 and we have a  
23 large commercial base that generates even more traffic.  
24 Additionally, we have I-79 and the Pennsylvania Turnpike  
25 that run through Cranberry which further complicates the

1 traffic problems. Cranberry Township contracts with the  
2 Borough of Seven Fields to provide them with police services.  
3 The population of Seven Fields is over 2,000 and they are  
4 currently growing at a rapid rate.

5 The Cranberry Township Police Department currently  
6 has 23 officers. The most frequent request for service from  
7 our residents and the municipal officials of Seven Fields is  
8 more traffic enforcement. Of the traffic related complaints,  
9 speeding is number one. We currently have two officers whose  
10 sole duty is to enforce traffic laws and investigate crashes.  
11 Within the next month we will add an additional officer to  
12 the traffic unit. This addition is in response to the  
13 continuing traffic complaints received from the residents.

14 As in any profession, police officers rely on  
15 different tools to accomplish their mission. As you are well  
16 aware, municipal police officers are permitted to enforce  
17 speeding by means of speed-timing devices such as Vascar,  
18 speedometer pace which is following of a speeding vehicle  
19 for at least .3 of a mile and stop watches. The use of  
20 Vascar requires the township to paint lines on the roadway  
21 in those areas where there is documented complaints of excess  
22 speeds. Once the police department receives a complaint of  
23 excess speeds on a roadway, our traffic unit is assigned to  
24 investigate the complaint. The township engineering depart-  
25 ment is often used to conduct a traffic survey. If the survey

1 reveals there is a problem, then enforcement actions are  
2 planned. In many cases the traffic unit determines that the  
3 best course of action is to use Vascar or stop watch.

4 CHAIRMAN GEIST: Let me ask you a question. I'm  
5 sorry, I don't want to interrupt you but when you do your  
6 surveys, before you post a speed sign, this is one of the  
7 problems we are having in the Committee. Two years ago when  
8 the Senate Bill -- we gave the right for municipalities to  
9 artificially lower speed limits without a survey and there is  
10 a fear amongst some members that what we are going to be  
11 doing is using this bill to have people enforce speed limits  
12 that are artificially slow on the 85 percentile. What I'm  
13 trying to do, I'm actually trying to give you a softball to  
14 guide you on the record about how you do a survey, how you  
15 establish the 85 percentile for posting a fair speed limit.

16 MR. SCHUELLER: The traffic engineering department  
17 in the township, they do their counts. They do the speeds.  
18 That's turned over to the Director of Public Safety. All of  
19 the data is reviewed and they look to see whether a speed  
20 limit is warranted for that type of roadway. We work well  
21 with them. We coordinate all of our activities with them.

22 SUBCOMMITTEE CHAIRMAN LEH: I'm not sure if his  
23 question was really answered. Maybe it was in his mind but  
24 I'm not sure it was in mine. In other words, the 85 percentile,  
25 he was -- I think his question was not about whether the road



1       itself could handle a certain speed but whether the motorists  
2       themselves, what was their average speed in relationship to  
3       the 85 percentile.

4               MR. SCHUELLER: We use that to determine where we  
5       are going to do our speed enforcement.

6               CHAIRMAN GEIST: The PennDot formula?

7               MR. SCHUELLER: Yes.

8               CHAIRMAN GEIST: Okay.

9               SUBCOMMITTEE CHAIRMAN LEH: I guess, to clarify it,  
10       on all roads. You are aware that we have changed the law to  
11       allow you to reduce speed limits in residential districts  
12       without that survey?

13              MR. SCHUELLER: Yes.

14              MR. MINELL: We have not done that.

15              CHAIRMAN GEIST: But some municipalities have and  
16       it's really come back to hit us.

17              MR. SCHUELLER: We have kept our speed limits the  
18       same.

19              CHAIRMAN GEIST: What we want to do with this  
20       hearing and with all of the other hearings is to show how  
21       the legitimate municipalities actually set speeds and that's  
22       what I wanted to get on the record is that in Cranberry  
23       Township, if you have a new road or a new development, before  
24       you would post a speed limit sign, 85 percent of all of the  
25       people who travel at a safe and comfortable speed obey that.

1 It's how you do in determining the speeds by survey.

2 MR. SCHUELLER: Almost all our new roads are  
3 residential plans. All of the plans are at 25 miles an hour.  
4 We don't have any above 25. Any new roadwork is all new  
5 development.

6 SUBCOMMITTEE CHAIRMAN LEH: Okay. I think you can  
7 go on and we apologize for interrupting.

8 MR. SCHUELLER: If Vascar enforcement is required,  
9 the police department has to arrange with the Public Works  
10 Department to paint the Vascar lines. Currently, our Public  
11 Works Department does not have the equipment to paint lines.  
12 This service has to be contracted out. Often it can be  
13 months before the Vascar lines are painted and the police  
14 department can effectively respond to the situation. Once  
15 the lines are painted, they must be repainted at least once  
16 a year. Many of our roadways are not conducive to Vascar or  
17 speed-timing devices because of bends, hills and poor  
18 visibility. These type roadways are often the location of  
19 accidents. Because of the road design, speed enforcement by  
20 Vascar or speedometer clocking on these dangerous roadways is  
21 difficult, if not impossible.

22 Another tool that we understand every other state  
23 in the country allows is municipal police officers to use  
24 for speed detection and enforcement is radar and/or laser  
25 systems. These systems allow police officers to immediately

1 begin enforcement in those areas that have been targeted as  
2 a problem or where Vascar is ineffective.

3 I have been a police officer for over 21 years and  
4 during that time, one bill or another has been introduced to  
5 allow municipal police officers to use radar and laser for  
6 speed enforcement. All of these bills have been defeated.  
7 During that time period, law enforcement in Pennsylvania has  
8 continued to professionalize. Many departments like ourselves  
9 require their officers to have two years of college to apply  
10 for a position. In my opinion, these requirements can only  
11 enhance the professionalization of law enforcement.

12 As our profession continues to grow, so should the  
13 tools we need to complete our tasks. One tool that is  
14 greatly needed by the municipal law enforcement officers is  
15 radar and/or laser.

16 I know this bill is not without objecters. Limita-  
17 tions have been placed in the bill to address some of these  
18 issues. Many feel that the use of radar and laser will be  
19 a means to generate revenue. Provisions of the bill address  
20 this issue and those departments that abuse this tool can be  
21 sanctioned. One comment I have heard is that the bill is too  
22 restrictive. The position of the Cranberry Township Police  
23 Department and its Board of Supervisors is that the bill  
24 should be passed and that we will work with any restrictions  
25 that the Legislature feels is needed. As with any new bill,

1 there are often glitches that need to be worked out after  
2 implementation. We are confident that if this should occur,  
3 our Legislature can address any problem areas and make any  
4 needed changes.

5 The Cranberry Township Board of Supervisors is  
6 so committed to the passage of this bill that on May 3rd,  
7 2001, they passed a resolution titled, a resolution of the  
8 Board of Supervisors of Cranberry Township, Butler County,  
9 Pennsylvania, endorsing the use of radar or laser devices  
10 for the enforcement of speed in Cranberry Township and other  
11 municipalities throughout the Commonwealth. The resolution  
12 is attached.

13 In closing, I would like to thank the Committee for  
14 their time and strongly urge to give approval to this  
15 important bill that gives the municipal police officers of  
16 Pennsylvania an added tool to accomplish their traffic  
17 enforcement duties.

18 SUBCOMMITTEE CHAIRMAN LEH: Thank you very much.  
19 I think I have just one question for myself. You referred  
20 to, it's on page one. You currently have 23 police officers  
21 in the township. How many of them are full and parttime?

22 MR. SCHUELLER: All fulltime.

23 SUBCOMMITTEE CHAIRMAN LEH: Okay. Representative  
24 Strittmatter?

25 REPRESENTATIVE STRITTMATTER: I thank you for your

1 testimony. I was curious about your testimony, maybe for the  
2 Director of Safety. You say all new development goes in at  
3 25 miles per hour?

4 MR. SCHUELLER: Residential.

5 REPRESENTATIVE STRITTMATTER: Residential. Isn't  
6 there a problem with the fact that most of your existing  
7 roads that have residents that live along them are posted  
8 much much higher than new developments, the roads look much  
9 safer to drive on with the planning, with the storm water,  
10 with the curbing, with the fact that they look as if they  
11 are engineered to be able to drive faster than they do on  
12 existing cartways that went out to the farmlands over the  
13 years have now been tarred and chipped and now have macadam  
14 on them and have a lot of twists and turns. Isn't that a  
15 problem? Isn't the traffic engineers in residential areas  
16 automatically saying 25 miles an hour and our citizens don't  
17 believe that that is really the safe speed. What they would  
18 like to do is go 25 miles an hour in front of their house  
19 but when it looks like a 40 or 45 mile an hour zone because  
20 you have other 55 mile an hour zones that look more unsafe.  
21 Is that true?

22 MR. MINELL: I find most of the residents would  
23 like to have the speeds lowered.

24 REPRESENTATIVE STRITTMATTER: In front of their  
25 house?

1 MR. MINELL: Yes, and they'd like a stop sign in  
2 front of their house. Those are issues that we deal with  
3 politically all the time. That's why we do the surveys we  
4 are talking about. When we get complaints, we go out and we  
5 survey in front of that person's house and we tell them  
6 exactly how fast people are going. Frankly, I assume they  
7 are going slower than they are. The residents are usually  
8 more right than I am. People drive too fast in these  
9 communities. Our plans have children playing. The houses  
10 are closer together. The more rural areas you are talking  
11 about are major feeder routes that are 35 to 45 miles per  
12 hour. People are going much too fast on those major roadways.  
13 We candidly -- I don't remember the last time I saw a ticket  
14 for somebody going faster than they should in a 25 mile per  
15 hour residential zone because that's not where we are having  
16 the accidents and problem. We are hurting people on our  
17 major roads, the 35, 45 mile an hour roads.

18 MR. SCHUELLER: Those are the exact roads you  
19 described, the older roads, the winds, the bends where enforce-  
20 ment is real hard.

21 MR. MINELL: That's where most of our complaints  
22 are coming from.

23 REPRESENTATIVE STRITTMATTER: I thought you said  
24 most of the complaints were coming from the residents?

25 MR. MINELL: They are. The residents are complain-

1 ing.

2 REPRESENTATIVE STRITTMATTER: But the crashes are  
3 coming on the otyer roads where they are not complaining?

4 MR. SCHUELLER: There are complaints.

5 REPRESENTATIVE STRITTMATTER: That's what I wanted  
6 to hear. Thanks for clearing that up.

7 MR. MINELL: Yes. Unfortunately, like most  
8 communities we develop, we try to do perfect plans where  
9 everybody gets access to their front door off of a side  
10 street, not off of the main thoroughfare. As the communities  
11 have developed, a lot of them have curb cuts all along the  
12 major freeways and candidly, you are right. Some people have  
13 gotten incredible buys on their home because they bought them  
14 on a busy street and now they want us to solve the problem  
15 for them. They come in and petition to reduce the speed.  
16 We asked the State typically to do a study and we tell them  
17 no because 85 percent say no.

18 REPRESENTATIVE STRITTMATTER: Thank you.

19 SUBCOMMITTEE CHAIRMAN LEH: Tell them to call their  
20 State Rep.

21 CHAIRMAN GEIST: A funny story about that. Every-  
22 body wants everybody to go slow except themselves and I have  
23 a very busy connecting State road in my district that goes  
24 into the city and we unfortunately had two tragic accidents  
25 where children ran into the side of cars and everybody in

1 that part of town went nuts. We got them extra State monies  
2 for extra speed enforcement and guess where all of the people  
3 live got arrested? They live in that neighborhood.

4 MR. MINELL: We see the same thing.

5 MR. SCHUELLER: We get petitions.

6 CHAIRMAN GEIST: Guess who they blame it on, us.  
7 So, you can't win.

8 MR. MINELL: We have -- we react to the complaints,  
9 we keep track of where the people live, you're right, most of  
10 the violators live in that area.

11 CHAIRMAN GEIST: In the law we clearly have it  
12 written that the devices cannot be used on any road that  
13 hasn't been certified for that very reason. There is a  
14 reason behind all of the logic that is in there and I think  
15 for the municipalities to accept that responsibility, for  
16 you to accept that responsibility, for us to accept that  
17 responsibility is what will make the thing finally work.  
18 For the Dauphin Boroughs and other places like that in  
19 Pennsylvania, they may kill this bill but for those of us  
20 who have some setting and logic to it, maybe we have a  
21 chance.

22 SUBCOMMITTEE CHAIRMAN LEH: Representative Paul  
23 Costa?

24 REPRESENTATIVE COSTA: Out of curiosity, you  
25 mentioned you have two police officers now on traffic detail



1 and you are going to hire an additional one. Is that going  
2 to come from the regular forces or are you going to hire an  
3 additional police officer?

4 MR. SCHUELLER: We just went through a hiring  
5 process to add a position to the department strictly for an  
6 additional traffic officer.

7 REPRESENTATIVE COSTA: Added an extra burden on  
8 your tax base?

9 MR. MINELL: Yes.

10 CHAIRMAN GEIST: What's your ratio of warnings to  
11 tickets you write?

12 MR. SCHUELLER: I would say almost half.

13 MR. MINELL: A third to a half. It fluctuates  
14 wildly. Around Christmas time you get more warnings.

15 MR. SCHUELLER: Our officers are encouraged to make  
16 the stop. If they write a ticket or give a warning, we don't  
17 care. We just want the contacts to try and stop the speeding  
18 or the violation.

19 CHAIRMAN GEIST: How many do you write for reckless  
20 driving versus speeding in the neighborhoods?

21 MR. SCHUELLER: Neighborhoods, we very seldom get  
22 reckless driving. -

23 MR. MINELL: The ones I have seen are careless and  
24 it's usually based upon complaints from three or four  
25 residents. We had one the other day where they actually

1 physically stopped the person. The residents blocked him in  
2 and then based on their testimony, we will take them to court.

3 CHAIRMAN GEIST: Was Darryl part of that?

4 MR. SCHUELLER: No.

5 SUBCOMMITTEE CHAIRMAN LEH: Strike that from the  
6 record please.

7 MR. MINELL: I would anticipate though, if I may,  
8 with the radar legislation, that you would see a lot of  
9 warnings and response in that little residential neighbor-  
10 hood to complaints from citizens about speeding. You see a  
11 lot of warnings in that area. Our concern about radar is on  
12 the major roadways where we are getting people hurt and  
13 killed. We are not currently able to even paint the lines.

14 CHAIRMAN GEIST: Your mission is the same as ours.  
15 You want to drive down the accident statistics and that's  
16 what we want to do. This is not about revenue enhancement.  
17 It's about speed control.

18 MR. MINELL: Absolutely.

19 CHAIRMAN GEIST: Driving down accidents.

20 MR. SCHUELLER: We had one two weeks ago, a young  
21 driver. He may still lose his license. Like a 35 mile an  
22 hour zone wyich we can't get to. It's a hill. It's windy.  
23 It's rural roads. We can't enforce the speed unless we do  
24 a clock. By clocking them the three-tenths, they usually see  
25 you.

1 SUBCOMMITTEE CHAIRMAN LEH: Eric Bugaile?

2 MR. BUGAILE: Do you have any four lanes that you  
3 patrol?

4 MR. SCHUELLER: US Route 19.

5 MR. BUGAILE: And is that -- do you have an agree-  
6 ment with the State Police on enforcement on that four-lane?

7 MR. SCHUELLER: Yes. We also have an agreement for  
8 I-79 because we are often called to assist the State Police  
9 on 79. We don't do traffic enforcement out there unless we  
10 are called to assist.

11 MR. BUGAILE: But you do traffic enforcement on 19?

12 MR. SCHUELLER: Yes.

13 MR. BUGAILE: You write tickets on 19?

14 MR. SCHUELLER: Yes.

15 MR. BUGAILE: Is 19 a problem for you?

16 MR. SCHUELLER: Moreso in the past it was. As the  
17 traffic has increased, we do still have speed but we don't  
18 have the crashes that we used to have when it was 15, 20 years  
19 ago when we didn't have the amount of traffic.

20 MR. MINELL: We have had three pedestrian fatality  
21 accidents on 19 in the last four years.

22 CHAIRMAN GEIST: You guys have testified to the  
23 Commission on Nineteen?

24 MR. MINELL: I haven't.

25 CHAIRMAN GEIST: That's one of our projects. We

1 start two days of that starting tomorrow.

2 MR. BUGAILE: One of the biggest things is to  
3 renegotiate every agreement with the State Police for the use  
4 of radar on these four lanes. Do you feel that is a problem  
5 or not?

6 MR. SCHUELLER: It shouldn't be a problem at all.

7 MR. BUGAILE: Thank you.

8 SUBCOMMITTEE CHAIRMAN LEH: Any other questions by  
9 members of the Committee?

10 (No response.)

11 SUBCOMMITTEE CHAIRMAN LEH: There being none, thank  
12 you, gentlemen, very much. We appreciate your testimony.

13 (The following was submitted for inclusion in the  
14 record:)

15 RESOLUTION NO. 2001-35

16 A RESOLUTION OF THE BOARD OF SUPERVISORS OF  
17 CRANBERRY TOWNSHIP, BUTLER COUNTY, PENNSYLVANIA,  
18 ENDORSING THE USE OF RADAR OR LASER  
19 DEVICES FOR THE ENFORCEMENT OF SPEED IN  
20 CRANBERRY TOWNSHIP AND IN OTHER MUNICIPALITIES  
21 THROUGHOUT THE COMMONWEALTH.

22 WHEREAS, it is the desire of the Board of  
23 Supervisors of Cranberry Township to ensure traffic laws  
24 are enforced within the Township as safely and effectively  
25 as possible.

1                   WHEREAS, excessive speed makes it more  
2                   difficult for drivers to avoid accidents, increases the  
3                   seriousness of accidents, and endangers the residents  
4                   of Cranberry Township.

5                   WHEREAS, Pennsylvania is the only state in  
6                   the nation that denies municipal police officers the  
7                   use of radar and laser devices in speed detection,  
8                   although Cranberry Township police officers have the  
9                   same level of education and training as other police  
10                  officers, are certified as police officers in the Common-  
11                  wealth, and the community will agree to any additional  
12                  training or testing that may be imposed as a condition  
13                  of equipping municipal police officers with the tools  
14                  of modern traffic enforcement.

15                  WHEREAS, Cranberry Township and most other  
16                  municipalities in the Commonwealth do not look upon  
17                  enforcement of the Vehicles Law as a source of revenue.

18                  NOW, THEREFORE, BE IT RESOLVED that the  
19                  Board of Supervisors are supportive of efforts to amend  
20                  State law to allow municipal police officers the use of  
21                  radar and laser devices and request support of that  
22                  effort by our State Representative and State Senator  
23                  and other elected officials of the Commonwealth.

24                  APPROVED AND ADOPTED this 3rd day of May,  
25                  2001.

1                   SUBCOMMITTEE CHAIRMAN LEH: Patrick McHenry not  
2 here yet. Gerald Taylor, is he here?

3                   (No response.)

4                   SUBCOMMITTEE CHAIRMAN LEH: We will move on to Mr.  
5 Clement Matta, First Vice President, Pennsylvania State  
6 Association of Boroughs. Mr. Matta, thank you very much.  
7 You may begin.

8                   MR. MATTA: I'll thank you for having us. I'll  
9 also introduce Amy Downs who is our Secretary for the  
10 Allegheny County Boroughs Association. She's here to give us  
11 moral support also.

12                   SUBCOMMITTEE CHAIRMAN LEH: She is welcome to take  
13 a chair also.

14                   MS. DOWNS: I'm fine right here.

15                   MR. MATTA: Mr. Chairman and members of the Trans-  
16 portation Committee, good morning. My name is Clement Matta  
17 and I am Vice President for the Pennsylvania State Association  
18 of Boroughs. I also have been an active councilman for the  
19 Borough of Munhall here in Allegheny County for over 20 years.  
20 As you may know, PSAB has been serving the interests of  
21 Pennsylvania's boroughs for over 90 years. Our association  
22 was created through legislation in 1911 for the express  
23 purpose of advancing the interests of Pennsylvania's borough  
24 communities. I want to thank the Committee for recognizing  
25 the fact that if local police radar were to ever be imple-

1 mented effectively, the participation of our Commonwealth's  
2 borough communities is absolutely necessary.

3 I speak here today on behalf of our borough  
4 communities seeking another tool for the safety of their  
5 residents and roadways. Examining local police radar on a  
6 State-wide basis, I realize that one of the daily threats  
7 facing our pedestrian citizens is their interaction with the  
8 motoring public. PSAB has long supported the use of radar  
9 by local police, this position is elaborated in PSAB  
10 Resolution 1997-4 and was reaffirmed by the association  
11 membership in the year 2000 as Resolution 2000-7. This  
12 resolution captures the spirit of our Municipal Policy State-  
13 ment that cites that the primary responsibility for law  
14 enforcement should rest at the local level. To carry out  
15 this responsibility effectively, municipalities must con-  
16 stantly seek to improve their law enforcement capability.  
17 PSAB's membership recognizes radar and other speed detection  
18 technologies as a vital resource in much needed traffic  
19 control and traffic calming situations.

20 While the preliminary language limits radar to  
21 fulltime, full service police departments, eventually PSAB  
22 would like to see local police radar given to all municipal  
23 police officers, both full and parttime, provided they have  
24 completed the required state approved training. I am sure  
25 you are aware of this as the Commonwealth has over 1,100

1 municipal police departments and more than 20 percent of  
2 these departments use parttime officers. To deny this  
3 portion of the law enforcement community the techniques to  
4 insure traffic safety fails to promote uniform traffic  
5 safety throughout the State, which is primarily why PSAB  
6 supports radar measures. However, we do see the value of the  
7 proposed language and believe with minor technical changes,  
8 it can serve as a catalyst for the implementation of  
9 technologies leading to safer roadways.

10 That said, among the technical changes I have  
11 referred to is page one line 17 regarding the assignment of  
12 points. The language removes the deterrent nature of points  
13 with such a high threshold as 26 miles per hour. PSAB would  
14 offer 14 miles per hour as the threshold. As an example, a  
15 25 mile per hour residential speed limit under the proposed  
16 26 mile per hour threshold does not assign points until 51  
17 miles per hour. In that zone operating speeds of 50 miles  
18 per hour are a real threat to pedestrians. Lowering to a 14  
19 mile per hour threshold would set it at 40 miles per hour  
20 adding to the cushion of protection by ten mile per hour.

21 Also, page two line 23 calls for call for an  
22 official warning sign indicating radar use to be erected on  
23 the highway by the proper authority. Our question would be:  
24 Isn't the erection and expense of signage redundant since as  
25 indicated on page five lines 24 through 26, the police



1 officer must locate the radio-microwave speed timing device  
2 in a location that is readily visible to the motoring public.  
3 Borough communities seeking to allow the use of radar may  
4 think twice about leaving themselves open to these expenses.  
5 Furthermore, since a local ordinance will be required to  
6 enforce radar for speed timing as indicated on page five  
7 line 27, can those ordinances shift the costs of signage?

8 Finally, I believe you can see the value of  
9 empowering local police and local governments with this  
10 traffic control technology. Indeed there will always be  
11 the isolated abuse of local speed traps, but these are  
12 hollow arguments and this proposal today takes steps to  
13 remedy just that by adding the five percent revenue cap,  
14 page six, lines seven through 15. Moreover, innovative  
15 approaches to holding communities accountable for time spent  
16 on radar patrol could be fashioned.

17 In closing, Mr. Chairman and fellow Committee  
18 members, PSAB wants to express to you today its gratitude in  
19 bringing this issue to the forefront. We look forward to  
20 going back to our boroughs and telling our residents that  
21 we are willing to take sometimes unpopular measures to insure  
22 their safety, not only on the roadways but also in their  
23 neighborhoods and downtowns. Thank you again and I welcome  
24 any questions you may have along with Mr. Troxell.

25 CHAIRMAN GEIST: Who is an expert in Transportation.

1 MR. TROXELL: Thank you.

2 CHAIRMAN GEIST: Ed knows Transportation.

3 MR. MATTA: He does.

4 CHAIRMAN GEIST: Not much else but --

5 SUBCOMMITTEE CHAIRMAN LEH: Do you have anything  
6 to add?

7 MR. TROXELL: Since being on the other side of this  
8 whole issue not just a few years back, I've gotten pretty  
9 much an understanding that when it's done, we will have to  
10 ease it into existence. Let folks know they are responsible,  
11 able to handle it. Some of the things, especially the point  
12 issue, I'd like to see maybe that discussed, maybe drop down,  
13 like the deterrent nature of points. The 26 is quite high.  
14 We asked for 14 there. That would bring it down and the  
15 assignment of points would then be at 40. There may be some  
16 flexibility that we'll look at in crafting that language.  
17 I'm not sure how you can go about that.

18 The signage issues, we could probably work through  
19 that. I had heard mentioned something about maybe posting  
20 it at gateways to boroughs, the idea that radar is being  
21 enforced. So, when you enter a borough, on the sign it says,  
22 speed limit radar enforced there. That's probably the way  
23 we can handle it. It's pretty close to where we feel comfort-  
24 able.

25 SUBCOMMITTEE CHAIRMAN LEH: I think some of the

1 concerns and some of the issues you have raised, whether it  
2 be objecting to the prohibition of parttime police officers  
3 and the signage and the lowering of the points system, and I  
4 think, Ed, as we discussed earlier, and Ed has been very  
5 involved in trying to put some language together. He's been  
6 very helpful. He's voiced the opinions of your organization  
7 very well and I think the bottom line is we that are trying  
8 to craft this bill, at the same time are trying to craft a  
9 perception that we can sell and in creating a perception that  
10 you are going to have parttime police officers out there --  
11 now, logically, I can't really argue that. Maybe the Chair-  
12 man can. However, from a perception perspective, we don't  
13 want to create the perception that we are going to allow  
14 municipalities to go out to hire simply rent a cops and all  
15 they are going to do is run the radar unit. So, that's one  
16 of the reasons why that language is in the bill. Possibly  
17 down the road, and here again, I mean, this bill even as it  
18 is is going to be a tough sell, with its restrictions. I  
19 mean if we had all of the members of the Transportation  
20 Committee here, we probably couldn't get this bill out of  
21 Committee. So, I mean, the bill as it is now may seem tough  
22 to you but in the same token anything less doesn't stand a  
23 chance. So, we are trying to work with what we have. We are  
24 trying to create a perception that we are going to have a  
25 bill that Representatives do not have to fear supporting

1 because their motoring public is going to be, for lack of a  
2 better word, protected.

3 MR. TROXELL: And we want the Committee to be clear  
4 that we are not married to the parttime police. We'd love to  
5 see that in the future. We realize there is a five-year sun-  
6 set provision on the entire issue. So, we will accept the  
7 five-year sunset. In that period of time we will revisit  
8 it. If it's successful, if we see we can move possibly into  
9 parttime areas, that may be considered then.

10 SUBCOMMITTEE CHAIRMAN LEH: And I think that needs  
11 to really be understood; that unless we can start from here,  
12 you are never going to get where you want to go. Maybe even  
13 if we start from here, you will never get there but you'll  
14 never get there if we don't start from here.

15 MR. PARSELLS: More of a comment. As you suggest,  
16 if we were successful in passing this legislation and ease  
17 into it and hence, that's sort of the importance of the  
18 signage issue. I think that should be the least of your  
19 worries. The last thing our members need is a bunch of  
20 tickets written with radar and they have no idea was coming.  
21 It's very imporaant -- it's an education process with the  
22 community and I think the signage should be the least of your  
23 worries. I'm sure our members would express the same concern.

24 SUBCOMMITTEE CHAIRMAN LEH: Thank you very much  
25 once again.

1 MR. MATTA: Thank you for having us.

2 SUBCOMMITTEE CHAIRMAN LEH: Ed will keep you in  
3 touch and he will keep us informed. Has Patrick McHenry or  
4 Gerald Taylor shown up?

5 (No response.)

6 SUBCOMMITTEE CHAIRMAN LEH: Lieutenant Ralph Boura,  
7 is that?

8 MR. BOURA: Yes, sir. Could I pass these out real  
9 quick?

10 SUBCOMMITTEE CHAIRMAN LEH: Yes. From Penn Township.

11 (The hearing recessed at 11:03 A.M. and reconvened  
12 at 11:20 A.M.)

13 SUBCOMMITTEE CHAIRMAN LEH: We're going to call  
14 this meeting back to order. Lieutenant Boura? Patrick  
15 McHenry who is the Crawford County Coroner, he was involved  
16 in two deaths. So, he's going to submit testimony to this  
17 Committee. He will not be testifying today.

18 Gerald Taylor who is another testifier cannot make  
19 it. He will testify most likely at the hearings we have in  
20 Harrisburg. So, Lieutenant Boura, you can proceed.

21 MR. BOURA: Let me introduce my Chief. He's Chief  
22 Michael Mastriani.

23 SUBCOMMITTEE CHAIRMAN LEH: Chief, how are you?

24 MR. MASTRIANI: Just fine, thank you.

25 SUBCOMMITTEE CHAIRMAN LEH: Welcome.

1 MR. MASTRIANI: Thank you.

2 MR. BOURA: My name is Lieutenant Ralph Boura. I  
3 am a 15-year veteran with the Penn Township Police Department  
4 in Westmoreland County.

5 For the past six years I have been actively working  
6 towards moving the municipal fulltime police officers and  
7 the Pennsylvania State Troopers into the 21st century like  
8 the rest of the country.

9 I'm going to skip down if it doesn't confuse any-  
10 body. Chief Baric and the Lieutenant covered the use of the  
11 equipment that we use now. So, I'm just going to jump through  
12 that paragraph and move down and explain the radar to you.

13 Radar devices now used in Pennsylvania by the  
14 Pennsylvania State Police are highly accurate measuring  
15 devices that have stood the test of some 30 years of virtually  
16 trouble-free service. Historical data on file from the  
17 Pennsylvania State Police shows there has never been a unit  
18 undergoing its 60-day accuracy test that has produced an  
19 inaccurate reading. These units are designed to produce no  
20 reading at all if there is a component failure.

21 Lidar, not used in Pennsylvania, is a very accurate  
22 speed timing device also. Lidar units produce a very narrow  
23 beam width of approximately three feet at a distance of 1,000  
24 feet. This allows pinpoint accuracy, permitting the lidar  
25 beam to be placed upon a single vehicle, which reduces

1 operator error in identifying the target vehicle to almost  
2 zero.

3 Both radar and lidar are very accurate and very  
4 useful speed timing tools for the professional police officer  
5 in Pennsylvania. The primary use of any speed timing device  
6 is for the purpose of traffic safety and to achieve this in  
7 the most accurate and safe manner possible.

8 By permitting the use of radar/lidar by local full-  
9 time municipal police officers, it would make every patrol  
10 unit a deterrent. Now, if there are no white lines, the  
11 violator knows the municipal police officer is very limited  
12 in their enforcement of the speed limit. Let me stop a  
13 second. I enclosed an article from the Post-Gazette that I  
14 saved for years. If you get a chance, read that because they  
15 use Vascar and a radar unit in a school zone and they had an  
16 officer set up and the people were speeding up to those lines,  
17 slowing up and then taking off and the Post-Gazette proved it  
18 with their radar gun, that they knew the speed limit but they  
19 just didn't want to obey the speed laws. So, it was a good  
20 article. I saved it for many years.

21 Most of the Penn Township speeding complaints are  
22 from the housing plans. With the equipment that we are now  
23 permitted to use, we are very limited in our ability to slow  
24 traffic.

25 By the use of radar/lidar, a patrol unit can go to

1 different locations, run a check to deter speeding, and then  
2 go back on patrol. This keeps the patrol unit moving around  
3 the community and not in one area for long periods of time.

4 One major issue that keeps rising with the talk of  
5 radar/lidar for local fulltime police in Pennsylvania is the  
6 issue of revenue maker. All 49 other states trust their law  
7 enforcement officers, why not Pennsylvania? If I want to  
8 generate revenue for my local government, give me a \$52  
9 Acutrak unit and a set of white lines at the bottom of the  
10 hill. Why spend \$1,000 to \$3,000 on a radar/lidar unit?  
11 Also, let us not forget that the vehicle must be speeding  
12 before he/she can be issued a citation.

13 I enlarged a traffic citation for your review. As  
14 you can see, a vehicle traveling 16 miles over the posted  
15 speed limit would receive a total fine of \$136. Out of the  
16 \$136 citation, the local municipality receives half of the  
17 fine of block which is Block No. 29 which is \$28.50 which is  
18 21 percent of the total citation.

19 The Penn Township Police Department is a 20-man  
20 fulltime professional police department. Our department has  
21 an active dedicated traffic unit. For the year ending 2000,  
22 the total police budget was \$1,800,000. The total fines  
23 taken in from all fines, that's disorderly conducts, every-  
24 thing that is issued through the District Justice Office, was  
25 \$40,000. This is less than two percent of the total police



1 budget.

2 Attached are three articles, one written by the  
3 Pittsburgh Post-Gazette which I mentioned on speeding vehicles  
4 in school zones. The next article is about danger on rural  
5 roads which, I think, Chief Baric covered some statistics  
6 there. It has the graph in that. And the third one is an  
7 article done by the National Traffic and Highway Safety  
8 Council. It's an article on enforcement saving lives and  
9 combating crime.

10 I would like to thank you for your time and consid-  
11 eration and will answer any questions you may have at this  
12 time.

13 SUBCOMMITTEE CHAIRMAN LEH: Thank you very much,  
14 Lieutenant Boura. Any questions from any members? Represen-  
15 tative Strittmatter?

16 REPRESENTATIVE STRITTMATTER: No questions. Thank  
17 you.

18 REPRESENTATIVE COSTA: I have a question for you.  
19 He mentioned about two percent of his budget. That five per-  
20 cent cap, is that five percent on total funds or five percent  
21 of their budget?

22 SUBCOMMITTEE CHAIRMAN LEH: Total municipal budget.

23 MR. MASTRIANI: I'd like to clarify. Now, that  
24 \$1.8 million is the police budget. So, the \$40,000 against  
25 the municipal budget which is over \$6 million is negligible

1 really.

2 SUBCOMMITTEE CHAIRMAN LEH: That five percent in  
3 the legislation is an arbitrary figure. We didn't have any-  
4 thing to come up with. So, we made it five percent figuring  
5 that would be a good place to start. Sue, any questions?

6 REPRESENTATIVE LAUGHLIN: I never heard of lidar.  
7 Is that just like radar?

8 MR. BOURA: This bill includes lidar. Lidar puts  
9 out a light beam instead of a microwave beam and what happens  
10 with this light beam, it's a very narrow beam that is travel-  
11 ing a lot faster than a radar beam. It's giving you a reading  
12 like a three-quarters of a second, like a radar gun usually  
13 is taking three, four, five seconds to get a return reading  
14 from a car where a lidar beam, it takes three-quarters of a  
15 second and the beam, like I explained there, is like a three  
16 foot diameter. When you hold a lidar gun, you are looking  
17 through like the sights of a deer rifle. You actually look  
18 and it has cross-hairs on it. You hold it up and you look.  
19 So, you are actually looking at the target vehicle you want  
20 to clock. So, it has an audible and a visual built into it.  
21 Now, your eye is looking as you get closer to the vehicle  
22 with the cross-hairs. The tones will start beeping. When  
23 you actually put the cross-hairs on that one vehicle, it will  
24 look like a pitch we are hearing now and it will tell you what  
25 that speed is. The great purpose of a lidar gun is the

1 vehicle you are clocking is the vehicle. You know, a big  
2 issue with radar is you have to look. You have to watch the  
3 approaching vehicles, the training on exactly what vehicle  
4 you are clocking. With the lidar gun, which is very good for  
5 interstate highways and such, and I feel in our community  
6 that's what I would use. Everybody would have to have their  
7 preference. On the vehicle you are clocking, because your  
8 beam is only a three-foot diameter beam -- it's not splashing  
9 over to another vehicle and, like I said, with a lidar gun,  
10 it gives you distance away and then after you lock on with  
11 a lidar gun, it will start backtracking. It would give you an  
12 average speed of the vehicle as it's approaching you. Now,  
13 the officer has how far away, his average speed and a lock  
14 speed on his maximum speed. So, this gives an officer a lot  
15 of tools to tell this person, Hey, I have been clocking you  
16 for over 500 feet and you have been increasing your speed  
17 or decreasing or whatever they are doing. It gives him --  
18 it's a very -- and the difference between lidar, that equip-  
19 ment is like \$3,000 but it depends what you want to do. Our  
20 purpose for our municipality is, I feel we would spend the  
21 money. We want the best equipment and we want to do the job  
22 right.

23 CHAIRMAN GEIST: It's much safer for the officers?

24 MR. MASTRIANI: Yes. That's another issue that I  
25 addressed four years ago. That's right.

1 CHAIRMAN GEIST: Thank you.

2 MR. BUGAILE: Is it your testimony that, from what  
3 I saw here, that all 49 states in the Union have unlimited  
4 use of radar for --

5 MR. BOURA: I don't know if it's unlimited. Local  
6 police use it. I don't know the restrictions that every  
7 state put on like we have restrictions.

8 MR. BUGAILE: It's a common fallacy that every  
9 state in the Union except Pennsylvania allows local govern-  
10 ments and there are about 20 states that have severe  
11 restrictions on it and we are talking about perhaps towns the  
12 size of Pittsburgh being able to use radar but not any of the  
13 other municipalities. So, it probably doesn't do you good to  
14 say that in that sense because --

15 MR. BOURA: You'd have to poll each state.

16 MR. BUGAILE: Right. You are splitting hairs when  
17 you say that 49 states. That's just a comment.

18 MR. BOURA: Okay.

19 CHAIRMAN GEIST: I have nothing.

20 SUBCOMMITTEE CHAIRMAN LEH: Representative Hess?

21 REPRESENTATIVE HESS: No.

22 SUBCOMMITTEE CHAIRMAN LEH: Then the Chair  
23 recognizes Representative Stairs from Westmoreland County.

24 REPRESENTATIVE STAIRS: No.

25 SUBCOMMITTEE CHAIRMAN LEH: Okay. That being said,

1 thank you very much. Appreciate it.

2 (The following was submitted for inclusion in the  
3 record:)

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25



District No.	<b>TRAFFIC CITATION</b>	2. Docket Number
--------------	-------------------------	------------------

1a. Trial District Office

1. Driver Number	5. C.D.L. <input type="checkbox"/>	6. State <input type="checkbox"/> PA	7. D.O.B.	8. Sex <input type="checkbox"/> M <input type="checkbox"/> F
------------------	------------------------------------	--------------------------------------	-----------	--

Name - First Middle Last

Address (Street-City-State-Zip Code)

9. No.	12. Reg. Yr.	13. State <input type="checkbox"/> PA	14. Make	15. Type	16. Color
10. No.	18. Reg. Yr.	19. State <input type="checkbox"/> PA	20. Make	21. Type	22. Color

11. Licensee or Carrier Name & Address  Same as Defendant  Not Required

11. Exceeding Speed Limits  
 12. Signs & Yield Signs  
 13. Vehicle at Safe Speed  
 14. Operation of Vehicle without Official Certificate of Inspection while Operating Privilege is Suspended or Revoked  
 15. Drivers Required to be Licensed  
 16. Careless Driving  
 17. Registration & Certification of Title Required  
 18. Unlawful Activities  
 19. Traffic-Control Signals

20. Radar  21. Clocked  22. A.O.V.  
 23. ESP  24. Vascar  25. Other  
 26. Operated Vehicle with Expired Inspection  
 27. Operated Vehicle without Valid License  
 28. Operated Vehicle with Suspended/Revoked License  
 29. Operated Unregistered Vehicle

30. 67 Pa. Code \_\_\_\_\_ Ref. 49 CFR \_\_\_\_\_

26. <input checked="" type="checkbox"/> STATUTE <input type="checkbox"/> ORDINANCE <i>PA V.C.</i>	
27. SEC. <i>3362</i>	28. SUB SEC. <i>A-1</i>
29. FINE	<i>57.00</i>
30. E.M.S.	<i>10.00</i>
31. CAT	<i>40.00</i>
32. COSTS	<i>27.50</i>
33. J.C.P.	<i>1.50</i>
34. TOTAL DUE	<i>\$136.00</i>

Filed on Info. Received

*16 MPH OVER CITATION.*

*LOCAL GOVERNMENT RECEIVES HALF FINE (BLOCK NO. 29) ONLY.*

*\$28.<sup>50</sup> (21% OF TOTAL CIT.)*

36. Zone

38. Twp.-Boro-City      39. Code      40. Dir. of Travel N S E W

42. Time      43. Day      44. County      45. Code

41. Driver's Signature - Acknowledges Receipt of Citation      47. Date Issued

48. I declare that the facts set forth in this citation are true and correct to the best of my knowledge, information and belief. This verification is subject to the penalties of Section 4904 of the Crimes Code (18 Pa. C.S.A. § 4904) relating to unsworn falsification to authorities.

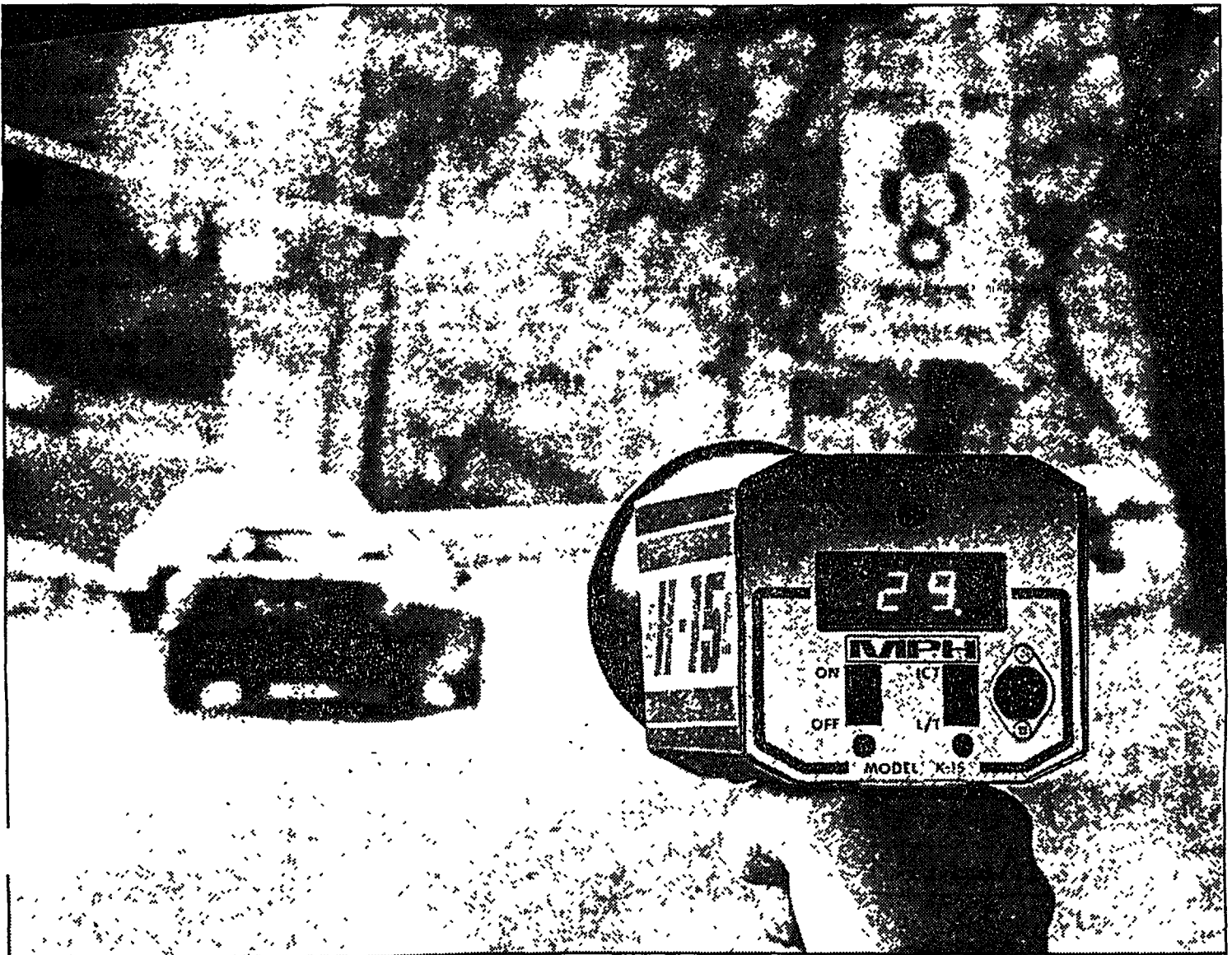
49. DRIVER'S SIGNATURE      50. BADGE NO.

51. Address of Police Officer      52. ORI Number

# THE REGION & STATE

PITTSBURGH POST-GAZETTE ■ SUNDAY, OCTOBER 12, 1997.

*People are in a hurry. Posted speed limits in school zones are low — 15 mph. But a Post-Gazette reading of just how many people speed in the school zones was startling. And radar isn't an option for local police.*



# Speeding epidemic seen in school zones

By John M.R. Bull  
Post-Gazette Staff Writer

Crossing guard Joe Grimm strains to make himself heard above the roar of rush hour traffic.

He tries to talk about that traffic, but it drowns him out as drivers race by.

And that's the point, Grimm says.

Drivers routinely roar through school zones, ignoring the 15 mph limit and endangering children on their way to and from school.

He has seen cars zipping by at 50 mph, with the drivers concentrating on their cellular phones instead of the road.

He has clutched at children, holding them back as vehicles run the light in front of the school he guards — Johnston Elementary in Wilkinsburg on Ardmore Boulevard.

"It's a boulevard here. Everyone goes fast here," Grimm said. "It bothers me. It's concerning."

As he spoke, he was buffeted by growling cks doing at least 30 mph.

"Thank God nobody's gotten hurt," said Grimm's wife, Shirley Grimm, who also is a crossing guard at Franklin Avenue.

It is no secret that some drivers often zip through a school zone.

But it may be surprising to know how few drivers actually do slow to the speed limit.

The radar gun proved it.

The Pittsburgh Post-Gazette trained the gun on traffic at four locations in and around Pittsburgh last week.

And with the exception of Peters, the results were scary.

During a 40-minute span Thursday morning in Wilkinsburg, not a single driver approaching Johnston school with a green light slowed to the 15 mph speed limit.

In fact, only two of 51 vehicles were going less than 20 mph. One of those was a bus, clocked at 18 mph.

## Twice the speed limit?

It was hurry, hurry, hurry.

One tailgater angrily shook his hand and



Steve Mellon/Post-Gazette

Shirley Grimm helps students at Johnston Elementary School cross at the intersection of Ardmore Boulevard and Franklin Avenue in Wilkinsburg.

honked at a driver who was traveling at 28 mph — 13 mph over the school zone speed limit.

Twenty-four motorists were clocked between 25 and 30 mph. Another eight were timed between 31 and 35, the highest recorded speed that day at that location.

Roads that would require caution even without a school did not deter some motorists.

Beaver Grade Road in Moon is curvy and hilly, packed with warning signs around Moon Area Senior High School.

A 15 mph speed limit sign flashes in both directions, giving motorists ample time to slow from the regular 35 mph limit before they pass the high school entrance, St. Margaret Mary Church child-care center and a private day-care center.

But signs were routinely ignored Wednesday morning last week.

During an hour of use, the radar gun detected dozens of speeding motorists, including teachers pulling into school, several

school buses, a stretch limousine, a fire department van and a police cruiser.

There also was a bicyclist clocked at 23 mph.

Those traveling at the correct speed caused a snake of tailgaters up the road in both directions.

Of 134 vehicles targeted with the radar gun, 17 were timed going less than 20 mph.

Nineteen vehicles were going at least twice the limit.

One sport utility vehicle tore around the bend at 46 mph, ripped past the high school entrance and didn't even make a pass at the brakes when he saw the speed gun trained on him.

The other 98 vehicles were clocked between 20 and 29 mph, significantly over the speed limit.

The police cruiser was clocked at 24 mph in the 15 mph zone; the fire department van

SEE RADAR, PAGE B-4



# Speeding epidemic in school zones

FROM PAGE B-1

at 29 mph; four school buses at 22 to 31 mph; and the limousine at 27 mph.

## Big fine and points

"I think people just get too nonchalant about it," said Patty Zusinas, a PTA member in the school district. "If they don't see the kids, they figure they don't have to slow down. Or they slow, but they don't slow enough.

"I flash my lights, I beep my horn. It is a law. And it is a good law," she said. "But there is always going to be somebody who breaks the law no matter what."

There are no additional penalties for speeding through a school zone, such as there are for speeding through a construction zone, but the fines can still be stiff.

For example, a motorist caught going 30 mph in a 15 mph school zone faces a \$122 fine and two points against his or her driving record. With more speed, the fine and points increase.

Of course, the penalties depend on driver getting caught.

municipal police departments cannot catch school zone speeders as easily as the state police.

*"It tells me they know the speed limit, but they choose to ignore it."*

Peters Police Chief Harry Fruecht

In Pennsylvania, only the state police can cite speeders by using a radar gun. Local police must use the more cumbersome Vascar system, in which white lines are painted a certain distance apart on a straight road and high-tech equipment times the rate at which a vehicle passes the lines. The speed then is extrapolated.

"Vascar is so obvious," said Peters Police Chief Harry Fruecht. "The lines are right there for everyone to see. You have to be a moron to be caught by Vascar."

## Radar use restricted

Fruecht has a radar gun that he is experimenting with. He cannot cite speeders with it, but he has discovered something interesting by using it.

"We clock people accelerating up to the white line into the Vascar zone, slowing to the speed limit and accelerating as soon as they pass

it," he said. "It tells me they know the speed limit, but they choose to ignore it."

He and other police chiefs said municipal police departments should be allowed to use radar, which the state Legislature has restricted to just the state police since radar was invented decades ago.

Lawmakers figure that municipal police forces would use radar to raise revenues, because a portion of each speeding fine goes into municipal coffers, said state police Sgt. Tim Allue in Harrisburg.

The state police are authorized to use radar because the department has no financial stake in citing speeders. State police funding comes from the state.

Yearly attempts to change that law to allow full-time municipal departments to use radar have been defeated, Allue said. The state police and other law enforcement agencies support those bills.

Radar guns would give city police a much needed tool to combat speeding, which is rampant throughout the city, said Police Chief Robert McNeilly.

City police have three squad cars equipped with Vascar equipment, and a few hand-held units. Radar units are all easily transportable, allowing speed traps to be set up more easily, McNeilly said.

There are dozens of school zones in the city, and people routinely ignore them, McNeilly said.

In fact, McNeilly was on his way to work two weeks ago when a driver not only ignored a school zone on Pioneer Avenue but passed McNeilly, who was driving an unmarked car at the reduced speed limit.

Because he didn't have a radar gun, McNeilly could cite the driver only for passing in a no-passing zone, which he did.

City police get complaints about speeders through school zones "all the time," he said.

At Peabody High School in Pittsburgh on Wednesday afternoon, 26 of 122 vehicles that were targeted with a radar gun by the Post-

Gazette were going 20 mph or slower in the 15 mph zone.

The majority of drivers, 63 of them, were traveling at speeds ranging between 20 and 30 mph. One of those was a school bus going 25 mph with its hazard lights on.

Three Port Authority buses were clocked going 27 and 23 and 23, respectively.

Another 33 drivers were timed at speeds that were at least twice the speed limit.

The fastest driver was clocked at 41 mph and didn't even bother to tap the brakes after glancing at the radar gun pointed at him.

## Regular speed traps

"It doesn't surprise me," McNeilly said. "We can only do so much."

But there are some things that appear to help.

In Peters, speeding was much less of a problem than at other schools tested by the Post-Gazette.

On McMurray Road in front of Peters High School, 48 of 59 vehicles targeted with the radar gun were going 20 mph or slower in the 15 mph zone, and some, much slower.

Only 11 were found going faster than 20 mph, and only two were clocked going 30 mph or faster.

Twenty-three vehicles were going 15 mph or slower. Some crawled by the school at 10 mph, or slower.

The police department regularly sets up speed traps in that school zone.

Also, crossing guard Evelyn Jozefkovicz will give the evil eye to anyone she thinks is going too fast and will gesture to them to slow down.

Fruecht, the police chief, has another explanation.

He used part of a state grant from drunken driving fines and bought a \$2,700 electronic display board that hooks into the radar guns and presents in large numbers for all to see, including the driver, just how fast someone is going. Because it is clocked by radar, citations cannot be issued.

Still, "The idea of the board is just to make them aware of how fast they are going," he said. "It's a nice PR thing. I... think everyone today is just in a hurry."

In Wilkesburg, crossing guard Shirley Grimm wonders if the price of hurrying is worth it as she ushers kids across her busy street.

"When you're going through a school zone, you have to slow down," she said. "I pray every day before I come out here."

# Danger on rural roads studied

## 2-lane highways are more hazardous than freeways

WASHINGTON (AP) — The road less traveled can be deadly.

More Americans are killed on rural roads than crowded urban expressways, even though the two-lanes carry less traffic. The rural roads also receive less federal money, and that has officials pressing for more safety improvements.

"There seems to be a disconnect," said Bob Fogel, associate legislative director of the National Association of Counties. "Roads owned by local governments don't seem to be getting their share of federal highway dollars, even though statistics point out that those roads tend to have a higher rate of fatalities."

Taking two specific categories, urban expressways got \$80,900 in federal funds per lane mile in 1999, while rural local roads, the lowest category, received \$100 per mile, according to Congress' General Accounting Office. Those local rural roads recorded 4,758 deaths — a rate of 3.79 per hundred million vehicle miles traveled — compared with 1,354 deaths along urban freeways, a rate of 0.79 per hundred million miles.

Numbers covering all of the nation's streets, roads and highways show the same

trend, the GAO reported. In 1999, roads passing communities of at least 5,000 people carried 1.6 trillion miles of traffic and recorded 15,816 highway deaths, a rate of 0.97 per hundred million miles. Roads farther out in the country had 1.1 trillion miles of traffic and 25,107 deaths, a rate of 2.36.

In eastern Connecticut, an 11-mile stretch of U.S. 6 where an average of two people are killed each year is called "Suicide Six." Some 2,300 miles away, another two-lane stretch of U.S. 6 through the Wasatch Mountains is considered Utah's deadliest highway, as drivers sitting behind slow-moving trucks refuse to wait for the passing lanes.

One reason for the higher fatalities is that motorists drive fast on those two-lane rural roads, said Lindsay Griffin, director of the transportation safety center at Texas A&M University's Texas Transportation Institute.

"You may not have as much traffic but you may have higher traveling speeds," Griffin said.

Also, these roads often aren't built to modern safety standards. The lanes may be narrower, and there is no median to separate oncoming traffic. And some rural roads are being used as commuter routes as suburban sprawl moves farther out from central cities and congestion on major highways increases.

"There is a need, unquestionably, for safety

PLEASE SEE DANGER/A14



Associated Press

A mother and her two children were taken to a nearby hospital Wednesday in Kerns, W.Va., after a dump truck hit their car head-on. State police said the truck driver was cited for failure to maintain control. More Americans are killed on rural roads than on crowded urban expressways.

### DANGER FROM/A1

Improvements on these two-lane roads," said John Horsley, executive director of the American Association of State Highway and Transportation Officials and a former official of Kitsap County, Wash.

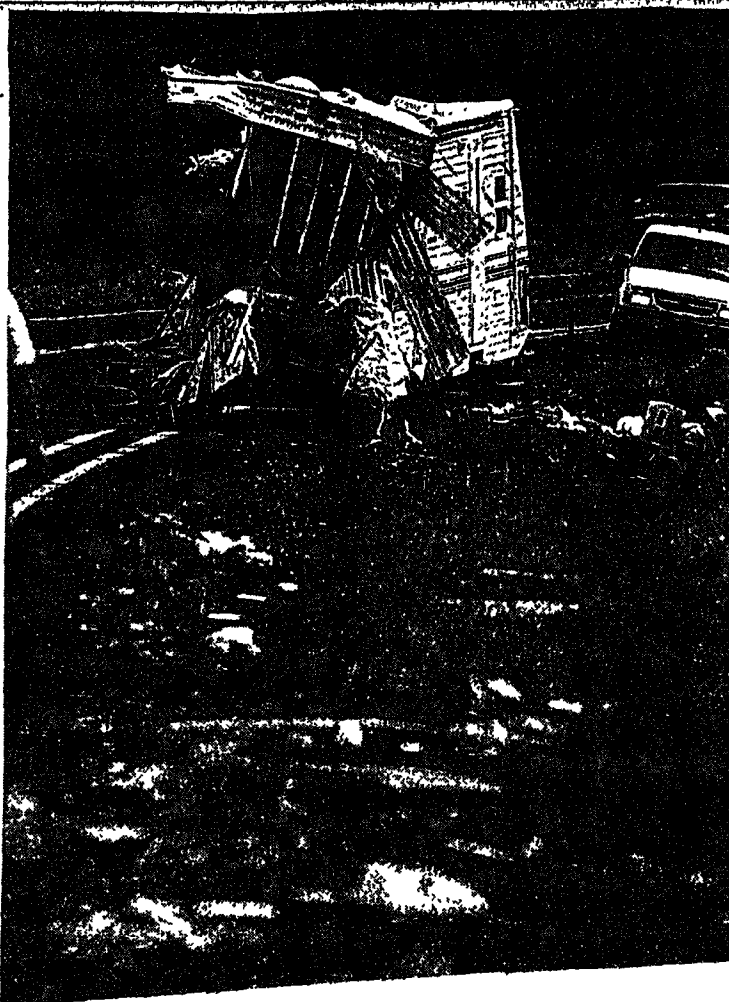
Horsley cited Georgia, Mississippi and Missouri as three states where major programs are under way to widen dangerous two-lane roads. In Wisconsin, construction is scheduled to begin next year on adding two lanes to a two-lane stretch of U.S. 12. There have been more than 30 deaths on the highway since 1985.

Still, most federal money flows to urban highways because that's where the traffic is.

"Investment patterns are a reflection of where the travel is occurring," said Frank Moretti, research director for The Road Information Program, a research group funded by the construction industry. "Urban roads are where the heaviest travel is occurring and they're getting beaten up more."

It costs a lot more to repair an urban highway than a rural road, especially because more work is done at night and in congested areas and because land for widening is more expensive, Moretti said.

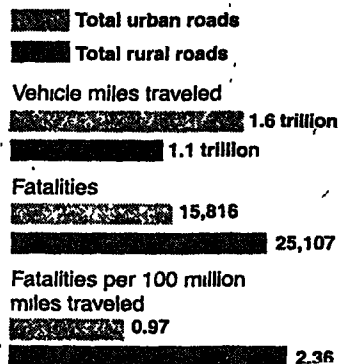
At the same time, rural roads are being asked to carry more traffic and heavier trucks than they were designed for.



On the Web: ► General Accounting Office report: [www.gao.gov](http://www.gao.gov)  
 ► The Road Information Program: [www.tripnet.org](http://www.tripnet.org)  
 ► National Association of Counties: [www.naco.org](http://www.naco.org)  
 ► American Association of State Highway and Transportation Officials: [www.transportation.org](http://www.transportation.org)

### Rural and deadly

Rural roads received less funding and saw less traffic but had many more traffic deaths than urban roads in 1999. Rural roads often do not meet modern safety standards and experts say motorists tend to travel faster on them because they are less congested.



1 Traffic Enforcement:

2 Saving Lives and

3 Combating Crime

4 NHTSA believes that traffic enforcement not  
5 only saves lives, injuries, and dollars, it also supple-  
6 ments many criminal enforcement activities.

7 This brochure can be used by law enforcement  
8 executives and elected public officials to show the  
9 relationship between traffic enforcement, crime, and  
10 public safety.

11 U.S. Department of Transportation

12 National Highway Traffic Safety Administration

13 America is confronted with three major public  
14 safety challenges: violent crime, drugs and traffic  
15 safety. Crime, and the fear it generates, is a very  
16 real threat. Yet the danger of involvement in a traffic  
17 crash is much greater.

18 Law enforcement executives and elected  
19 leaders have responded to citizen concerns and made  
20 the fight against crime a priority. One often over-  
21 looked tool that can be effective in both combating  
22 crime and reducing crashes is traffic enforcement.

23 The National Highway Traffic Safety Adminis-  
24 tration (NHTSA)'s mission is to reduce deaths, injuries  
25 and economic losses resulting from motor vehicle crashes.

1 In addition, NHTSA promotes the use of traffic enforce-  
2 ment as an effective public safety initiative to identify  
3 and apprehend violent criminals.

4 The human loss in traffic crashes is tragic.  
5 Over 40,000 people are killed and millions more are  
6 seriously injured in violent traffic crashes every year.

7 Whether being a crime victim or crash victim,  
8 everyone in the United States helps pay billions of  
9 dollars -- for lost productivity, property damage,  
10 rising medical and car insurance rates -- and the costs  
11 of police, firefighters and emergency medical personnel.  
12 NHTSA estimates that motor vehicle crashes cost the  
13 nation approximately \$137 billion annually as compared  
14 to the \$19 billion cost for victims of personal and  
15 household crimes.

16 With resources stretched to the limit, more  
17 law enforcement agencies realize enforcement programs  
18 must be more productive, addressing a number of commun-  
19 ity concerns. Traffic enforcement can be a valuable  
20 resource in the war against crime while also reducing  
21 the human and economic losses associated with traffic  
22 crashes.

# TRAFFIC AND CRIME: JUST THE FACTS

Now, here are some hard, new facts about how highly visible traffic patrols can effectively impact the devastating effects of crime in your community.

Americans today are constantly on the move, driving our cars over two trillion miles a year. Criminals are on the move too, driving on our streets and highways. In our increasingly mobile society, the automobile is often used to facilitate the commission of a crime. It is crucial that today's officers must always be on the alert and familiar with practical procedures to detect and apprehend criminals when they are countered during routine traffic stops.

The public's fear of crime is based on dramatic increases. According to the FBI *Uniform Crime Report*, violent crime has increased almost 17% since 1989. There were more than 1.9 million violent crimes reported to law enforcement agencies in 1993. Violent crime is most common in cities, but it's gaining a foothold in rural America.

Communities across the nation struggle to cope with rising crime rates. For some Americans, drive-by shootings and carjackings are so routine they don't even make the headlines. Illegal firearms are a fact of daily life and drug dealers blatantly occupy neighborhoods.

Many citizens link fewer crimes with more patrolling, resulting in the concept of community policing. Yet, law enforcement executives everywhere are forced to meet the growing

crime rate with limited resources. If executives must choose between suppressing crime and enforcing traffic laws, police traffic services are too often the first to go. Without safe streets and highways, we cannot truly say we are reducing the level of community violence and fear, making life safer for our citizens.

▼ Traffic enforcement is a critical element that police executives can use to improve public safety. The overall enforcement initiative is to reduce crime and increase traffic safety.

▼ Traffic enforcement saves lives and dollars, and it can have a positive effect in reducing crime.

What do law enforcement officers accomplish by arresting drunk or drugged drivers? These facts are from NHTSA's 1993 *Traffic Safety Facts* and the 1992 Bureau of Justice Statistics *Sourcebook of Criminal Justice Statistics*.

- 17,461 people died in alcohol-related motor-vehicle crashes.
- 61 percent of inmates jailed for violent crimes were drinking or using drugs when they committed their crime.
- 17 percent of inmates committed offenses to get money for drugs.

## Violent Crime in the U.S.

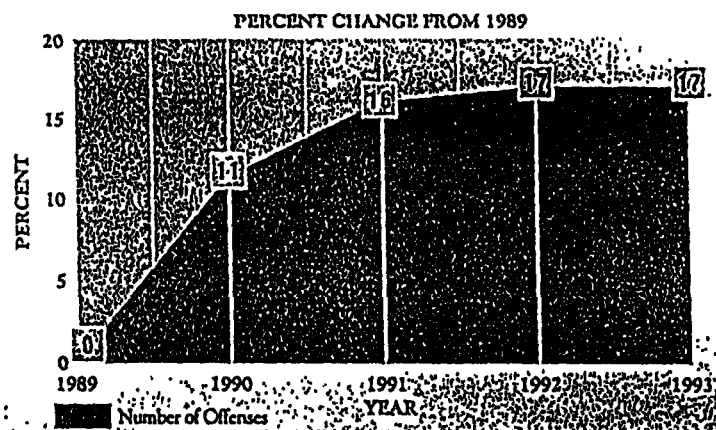


Figure 1 - Violent crime in the U.S.

.....  
*When traffic enforcement officers arrest drunk or drugged drivers, they prevent other deaths, injuries and violent crimes.*  
 .....

What does a police traffic officer accomplish by arresting people who have illegal firearms in motor vehicles? These facts are from the FBI *Uniform Crime Report*. In 1993:

- 25 percent of aggravated assaults were committed with a firearm.
- 42 percent of robberies were committed with a firearm.
- 70 percent of murders involved the use of a firearm.

.....  
*When traffic enforcement officers arrest those who have illegal firearms in motor vehicles, they prevent other deaths, injuries and violent crimes.*  
 .....

## SAVING LIVES: TRAFFIC KILLS MORE PEOPLE THAN CRIME

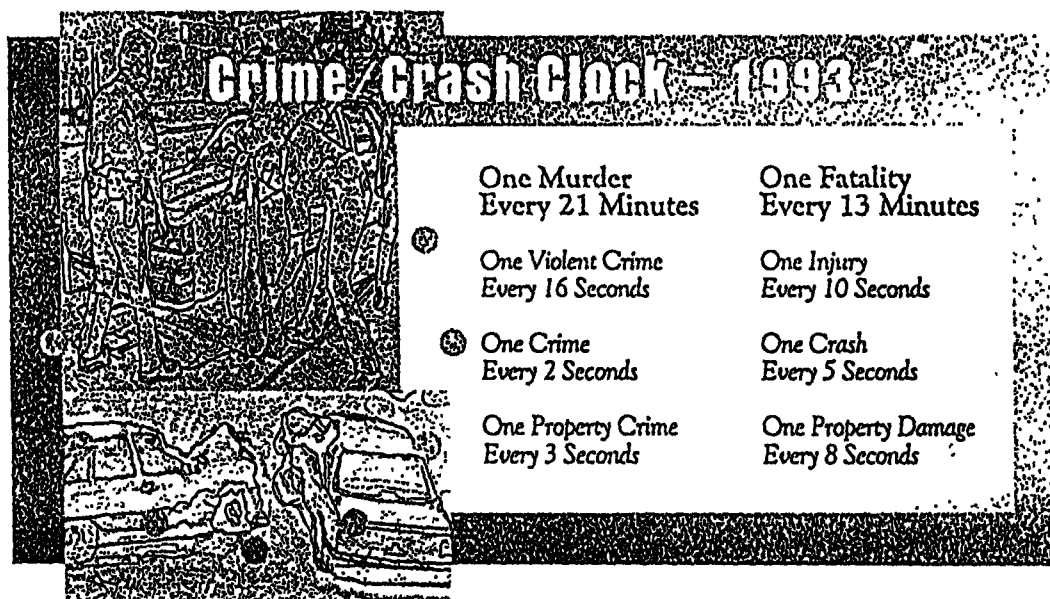
According to NHTSA's 1993 *Traffic Safety Facts*, 2.3 people died for every 100 million vehicle miles driven in 1988. By 1993, the motor vehicle death rate dropped to 1.8 deaths per 100 million miles driven. Traffic enforcement has greatly contributed to this decrease in the fatality rate.

For all the attention given to crime, traffic fatalities and personal injury significantly outnumber death and injury caused by violent crime. However, the grief felt by families and loved ones are the same in both instances. Traffic enforcement is a tool used to reduce death and injury and another means to assure public safety.

TRAFFIC	CRIME
Motor Vehicle Crash Fatalities 40,115	Murder Victims 24,530
Motor Vehicle Crash Injuries 3,125,000	Crime Injury Victims 1,899,660

Not only do victims of traffic crashes outnumber those from violent crime, the frequency with which they occur is also greater as shown in the crime/crash clock.

Table 1 - 1993 NHTSA Traffic Safety Facts  
and 1993 FBI Uniform Crime Report



## ENFORCING TRAFFIC LAWS: THE FIRST LINE OF DEFENSE AGAINST CRIME

The following examples show how traffic enforcement programs can help police protect and serve by preventing violent crime while enforcing traffic laws.

### Routine Traffic Enforcement

Most urban and rural police departments use traffic enforcement in their daily operation.

They investigate crashes and enforce traffic laws to save lives and prevent motor vehicle crash injuries.

In June 1993, two New York State troopers stopped a pickup truck in Long Island that had no rear license plate, and found a dead body in the rear. After further investigation, the driver was arrested for 11 counts of murder,



and may have been involved in six additional murders.

The Dayton, Ohio Police Department established a 10-member traffic enforcement strike force, using existing personnel. Their mission was to enforce traffic laws in the city's high crime areas. Arrests during the first eight months of the strike force included 184 felony and 307 misdemeanor offenses. There were also 8,803 traffic citations issued and 22 stolen vehicles were

recovered. This strike force had an immediate impact on crime in the city.

- The Grand Prairie, Texas Police Department has a spirited traffic enforcement philosophy, although only seven of its 169 officers are dedicated to the traffic unit. In 1993, this agency served 103,500 people and answered 137,569 service calls. Of 9,241 criminal arrests, 28.5 percent came from traffic stops. There were a total of 36,681 traffic stops, resulting in the issuance of 44,436 traffic citations. From this number of stops, there were also 2,637 criminal arrests. This means seven percent of the traffic stops resulted in criminal arrests. These arrests include two for murder, five for aggravated sexual assault, one for robbery, 23 for burglary, 65 for weapons violations, 101 for drug possession, 103 for larceny or fraud, and 176 for driving while intoxicated (DWI).

### Selective Traffic Enforcement Program (STEP)

*Another technique is the use of targeted long- or short-term enforcement for areas with specific traffic problems. The focus might be speeding vehicles or impaired drivers. Officers from several agencies may form a team to carry out the program.*

- The Baltimore County, Maryland Police Department organizes and coordinates the *Pulaski Highway Project*, an annual two-month STEP program. This effort unites Federal, state and local law enforcement officers to reduce traffic crashes and crime in the community. In 1993, the program produced 275 DWI arrests as compared to 61 in 1992. There were 9,523 other traffic arrests and an additional 249 criminal arrests. This cooperative effort contributed to a 12 percent reduction in robberies and 63 percent reduction in burglaries in the surrounding areas of Pulaski Highway during the same period of the previous year.

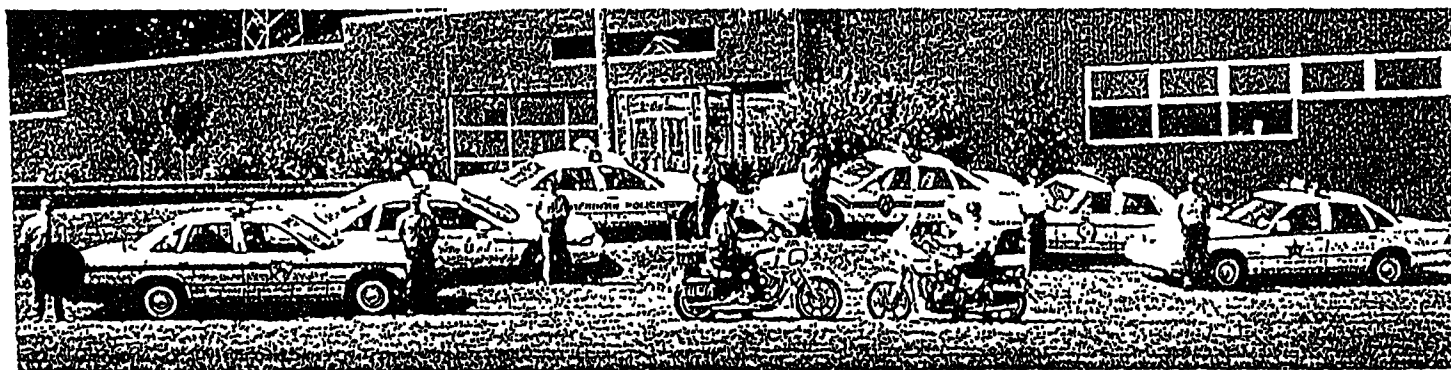
- The North Carolina Governor's Highway Safety Office, the Insurance Institute for Highway Safety and NHTSA launched a statewide program, *Click It Or Ticket*. This public information and enforcement campaign is designed to reduce crash related deaths and injuries by increasing the use of seat belts and child safety seats. Over a three week period during the summer of 1994, law enforcement agencies throughout North Carolina reported the following traffic activities: 22,010 seat belt violations, 1,463 child restraint violations, 1,829 DWI / alcohol offenses

and 2,043 driver's license suspensions or revocations. The effort also resulted in 258 drug arrests, 52 firearm violations, the recovery of 42 stolen vehicles and 34 persons arrested as fugitives. One fugitive arrest was for murder, one for armed robbery, and one person arrested had 32 outstanding warrants. This traffic enforcement effort assisted in increasing seat belt use from 62 percent to 80 percent, while significantly impacting criminal activities.

### Highway Criminal Interdiction

*Traffic enforcement and criminal intervention is a special program that teaches police officers to use traffic enforcement as a tool for catching criminals on the highways.*

- The Clarendon County, South Carolina, Sheriff's Office trained three deputies in NHTSA's *Aggressive Criminal Enforcement (ACE)* program. In 1992, the program was responsible for seizing 42 pounds of cocaine, 200 grams of crack, and recovering \$150,000 in U.S. currency. Under the same program, the Sheriff's Department and the South Carolina Highway Patrol stopped a vehicle for a traffic violation and discovered 67 firearms. This recovered cache of firearms resulted in a Federal



Baltimore County, Maryland - Pulaski Highway Project Photo

investigation by the Bureau of Alcohol, Tobacco and Firearms.

- The Federal Highway Administration's *Drug Interdiction Assistance Program* (DIAP) trains thousands of law enforcement officers in techniques of commercial vehicle drug interdiction. In 1993, DIAP trained officers seized from commercial vehicles nationwide 58,700 pounds of marijuana, 9,756 pounds of cocaine and the recovery of more than \$1.3 million in U.S. currency.

## SCRAMBLING FOR RESOURCES: MULTI-AGENCY COOPERATION

How can law enforcement executives enforce laws when they don't have enough officers to handle calls for service, protect citizens against violent crime, enforce traffic laws and investigate traffic crashes?



California Highway Patrol and East Palo Alto Police Photo

Mutual aid pacts and saturation patrols can be the answer. Such cooperative efforts can alleviate personnel shortages in times of fiscal constraints. Simultaneously, they can provide traffic enforcement which often results in a secondary benefit of catching criminals.

Mutual-aid pacts are prearranged agreements between jurisdictions to assist each other in times of need or to address a significant public safety problem. A good example is the multi-agency law enforcement effort in East Palo Alto, California.

- In 1992, according to the California Office of Criminal Justice Planning, East Palo Alto had the nation's highest per capita rate for murder. Local law enforcement was overwhelmed by a well-armed criminal element. The Chief of Police requested assistance from nearby law enforcement agencies, including the California Highway Patrol (CHP), to participate in a coordinated crime and traffic enforcement effort. In response, the CHP initiated aggressive traffic enforcement operations in East Palo Alto. This multi-agency



California Highway Patrol Photo

cooperative effort intensified criminal enforcement activities in the city. The effect of stepped up traffic enforcement by the CHP helped in reducing crime in East Palo Alto.

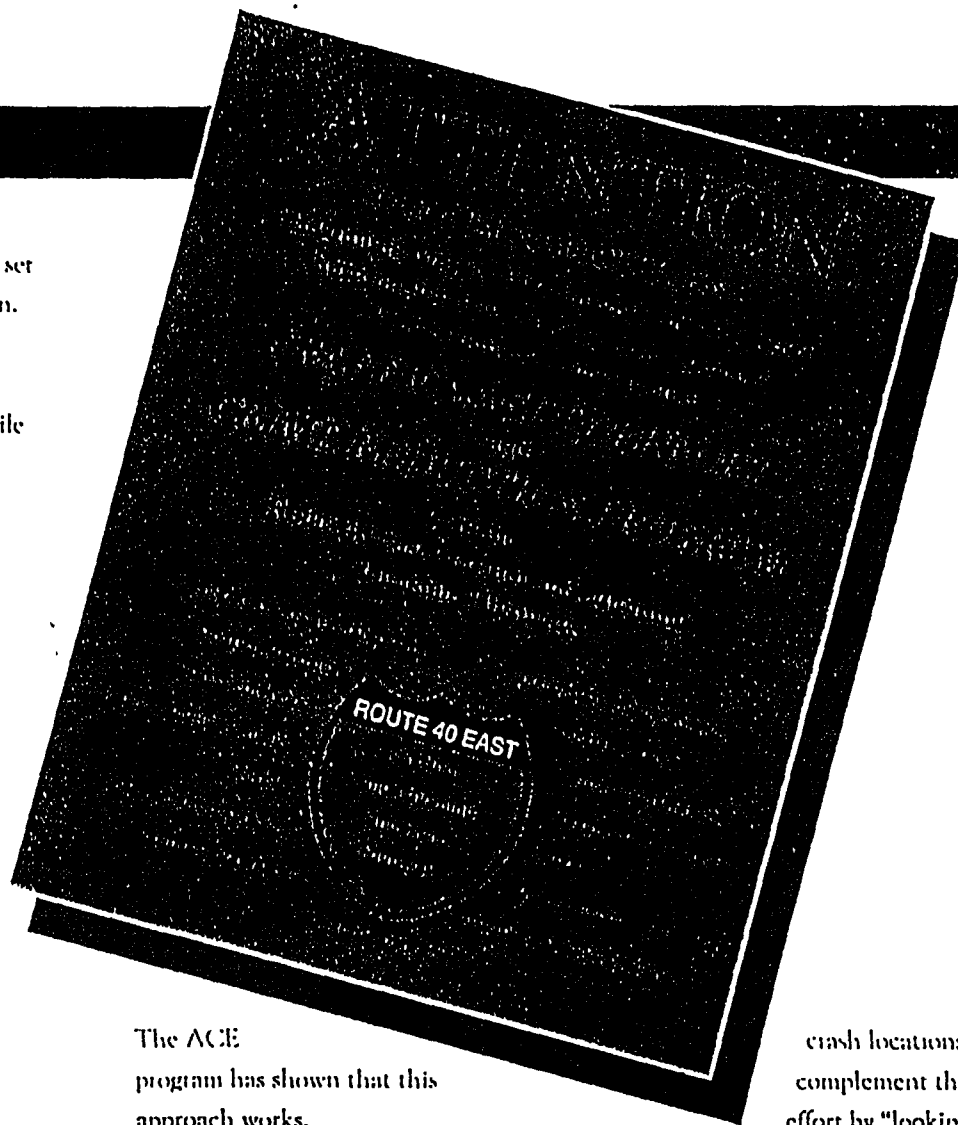
CRIME	1992	1993	% CHANGE
Homicide	42	6	-86
Rape	16	13	-19
Total robbery	271	195	-28
Robbery with firearms	162	86	-47
Aggravated assaults	454	483	+6
Assaults with firearms	158	120	-24
Burglary	285	362	+27
Larceny/theft	375	387	+3
Auto theft	406	341	-16
TOTALS	2,169	1,993	-8

During this time, the CHP made 590 DWI arrests and 90 felony traffic arrests, issued 3,561 traffic citations, recovered 216 stolen vehicles, investigated 1,670 traffic crashes and conducted 11,748 police/sheriff assists. In addition, during a two month period, CHP personnel confiscated 26 illegal firearms from motor vehicle drivers.



make traffic enforcement a priority, set objectives and give officers direction. Arrests by the Grand Prairie, Texas Police Department show how this approach saves lives and dollars while reducing violent crime in the community.

- **Train motivated officers:** Traffic enforcement training for law enforcement officers should target interested and motivated officers. Training segments explaining how enforcement efforts reduce traffic fatalities and injuries must be included. Training should also include legal criminal interdiction procedures and how to use them during a traffic stop.



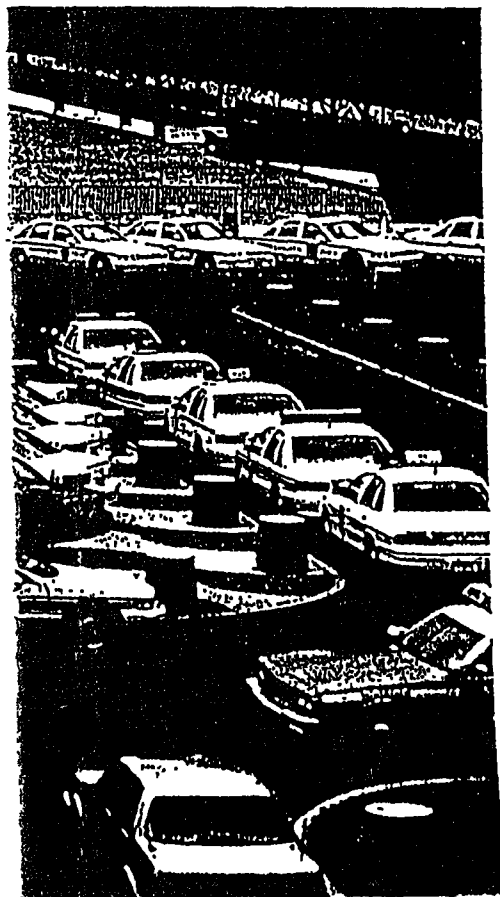
The ACE program has shown that this approach works.

crash locations can complement this effort by "looking

beyond the ticket." Increased traffic enforcement in East Palo Alto, California and Dayton, Ohio has had a deterrent effect on crime.

- **Develop "all purpose" officers:** The use of an "all purpose" officer may be a more efficient means of utilizing personnel in times of limited resources. By expanding law enforcement activities, patrol officers develop skills and abilities to respond effectively to all public safety issues, including traffic enforcement, that confront the needs of the community. It's working in the New York State Police.
- **Identify the problem:** Law enforcement resources assigned to target high crime areas can use aggressive traffic enforcement as a tool to reduce the incidence of street crime. Traffic patrols targeting high
- **Inform and educate the public:** Get the community and the media involved. Announce your intent to enforce traffic laws more aggressively in order to reduce crashes, crime rates, and health care costs. Distribute the results of your efforts. It worked in Baltimore County, Maryland.

Enforcing traffic laws saves lives and prevents injuries. It's the first line of defense against violent crime in every community.



New York State - Project Zero Photo

Saturation patrols are coordinated short term traffic task forces which encourage support and participation from multiple jurisdictions. They are effective in reducing impaired driving, speeding, and commercial vehicle violations while also increasing seat belt use. A good example is the statewide saturation patrol used in New York State.

- The New York State Department of Criminal Justice Services sponsored multi-jurisdictional statewide saturation patrols throughout the State. This operation, *Project Zero*, (Zone Enforcement Reduction Operation), was conducted between the hours of 9:00 p.m. Friday evening and 5:00 a.m. Saturday morning. The goal of *Project Zero* was to reduce motor vehicle crashes by removing the impaired

driver from the highway. A total of 1,566 law enforcement officers participated in the operation. The results were:

DWI - alcohol and drugs .....	418
Seat belt violations .....	475
Total traffic violations.....	3,764
Criminal arrests.....	107
Fatal motor vehicle impaired crashes .....	0

Saturation patrols can be conducted on a smaller scale, including multi-county or county level cooperative law enforcement efforts.

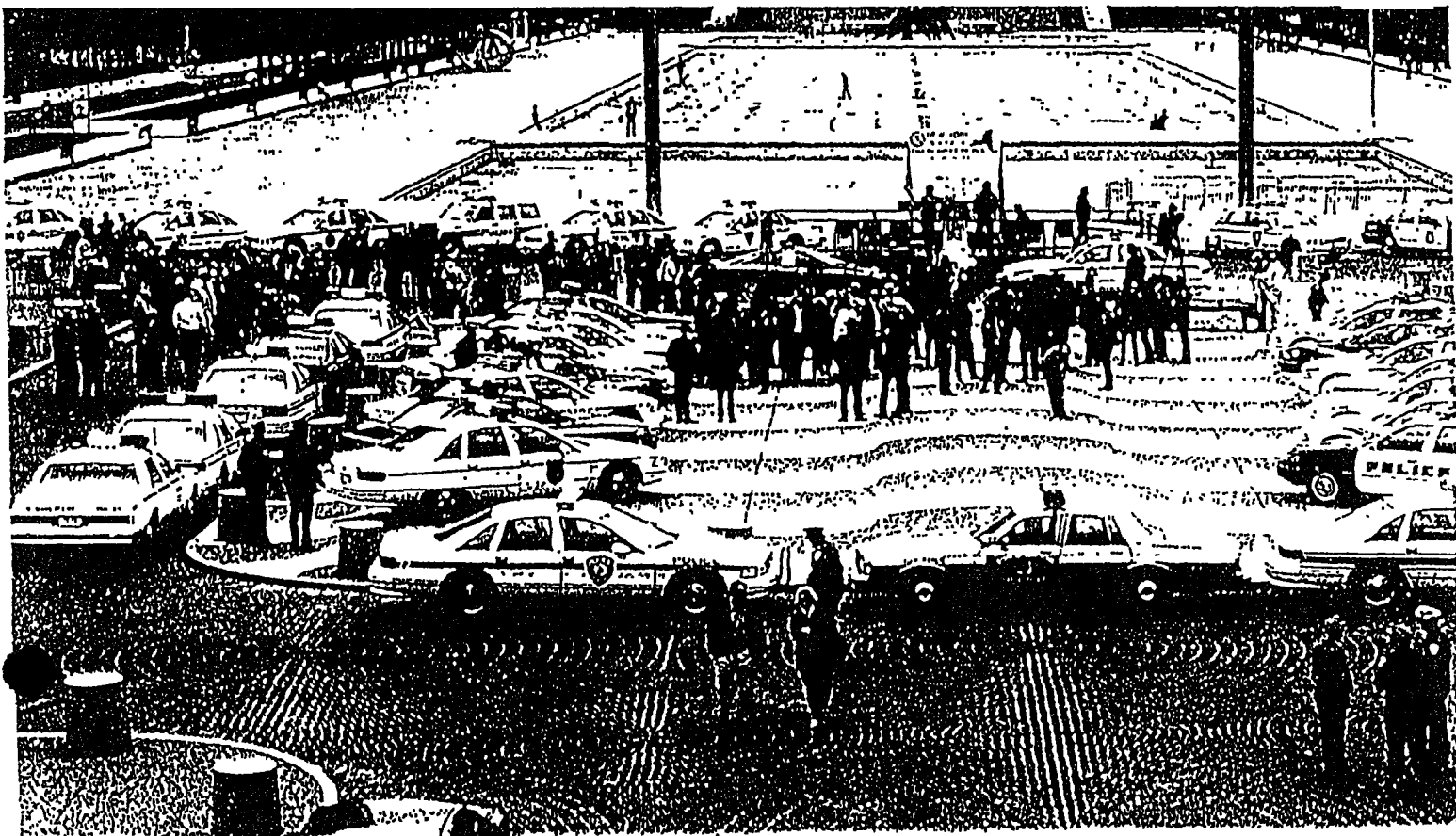
These types of aggressive traffic enforcement programs create a broad general

deterrence by increasing the perception of apprehension among criminals. The mere presence of law enforcement can deter the criminal and reassure the community that their highways are safe.

## THE LAW ENFORCEMENT CHALLENGE

Here's how law enforcement executives can bridge the gap between enforcing traffic infractions and reducing crime.

- *Commit to administrative support:* Law enforcement executives must



1                   SUBCOMMITTEE CHAIRMAN LEH: That's it. We are  
2 waiting for a Mr. Klingaman. Come on up, front and center.  
3 The Chair would ask you, any way you can possibly summarize  
4 your testimony which gives us additional time to ask you  
5 questions, not to grill you but just to ask you questions.  
6 Mr. Klingaman is the Township Manager of Findlay Township,  
7 correct?

8                   MR. KLINGAMAN: Correct.

9                   SUBCOMMITTEE CHAIRMAN LEH: Begin whenever you feel  
10 comfortable.

11                  MR. KLINGAMAN: As you indicated, I will summarize  
12 what I have to say. I'm representing the Pennsylvania State  
13 Association of Township Supervisors today as a member municipi-  
14 pality of that organization. They asked if I would talk in  
15 their behalf. Essentially, the focus of the testimony is on  
16 safety, traffic safety, the ability for the use of radar to  
17 assist or lidar to assist in that effort and not to be a  
18 revenue production piece of legislation. Obviously, being  
19 a municipal official, I'm concerned about the ability to  
20 handle the expenses but we, in this case, recommend that there  
21 may be some method to take revenues derived from the use of  
22 this, put it into a State fund which then municipalities  
23 would have the option to get money grants for the ability to  
24 conduct radar and the lidar so that ultimately the money is  
25 returned and it's a way to eliminate some of the concerns

1 about revenue production and the legislation.

2 In order for the State association to fully support,  
3 there are a number of items that they felt should be part of  
4 the legislation. One is use of marked police cars only.  
5 Secondly, to maintain provision for full-time, full-service  
6 police departments, not expiring after a five-year period but  
7 stay with the legislation for the duration. Assign points as  
8 per normal procedure, no exception. Calibration of the radar  
9 equipment on an annual basis. I believe there is something  
10 to the effect of three years at this point but feeling, just  
11 as we inspect our vehicles, so should equipment of this type  
12 be inspected on an annual basis. Again, the State funding  
13 could assist in that matter so that the municipal government  
14 was not drawing the funds for that purpose.

15 Subsection 3368g, defense should remain in effect  
16 and not expire in the five years and under the earlier  
17 proposal that I outlined, that would be consistent with our  
18 position there.

19 Essentially, in conclusion, we feel the use of  
20 radar is seen as an effective tool, recognizing revenue  
21 production sometimes bogs down the legislation. Possibly,  
22 our proposal may be considered and I'd certainly be willing  
23 to answer questions you may have.

24 SUBCOMMITTEE CHAIRMAN LEH: Okay. Thank you very  
25 much, Mr. Klingaman.

1 CHAIRMAN GEIST: In order to receive support of the  
2 State Association, are you speaking for the State Association  
3 or yourself?

4 MR. KLINGAMAN: The State Association.

5 CHAIRMAN GEIST: The use of marked police cars only,  
6 you agree or disagree?

7 MR. KLINGAMAN: Agree.

8 CHAIRMAN GEIST: Agree, okay. Maintain the  
9 provisions on fulltime, you agree?

10 MR. KLINGAMAN: Yes. It's my understanding for the  
11 Association, it's a compromise issue but, yes.

12 CHAIRMAN GEIST: Are you familiar with the defin-  
13 ition of fulltime police officer?

14 MR. KLINGAMAN: As per the legislation?

15 CHAIRMAN GEIST: Yes.

16 MR. KLINGAMAN: Yes.

17 CHAIRMAN GEIST: Okay. You agree?

18 MR. KLINGAMAN: Yes.

19 CHAIRMAN GEIST: Good. And do you agree?

20 MR. KLINGAMAN: Yes.

21 CHAIRMAN GEIST: So do I. I thought the Police  
22 Chiefs Associations finest moment may have been in that  
23 definition because I think we have been searching for that  
24 definition for years. As you know, there are other defini-  
25 tions out there and it doesn't mean 20 hours a week. Now,

1 the assigning of points, do you understand the philosophy  
2 behind the legislation on the points assignment?

3 MR. KLINGAMAN: I believe so. It seems to be some-  
4 what more lenient in the proposal as I understand it and I  
5 guess the State Association's position is to leave it as per  
6 normal without that modification.

7 CHAIRMAN GEIST: I agree with the calibration on  
8 the one-year basis. I think we do everything from guns to  
9 cars to everything else on a yearly basis.

10 SUBCOMMITTEE CHAIRMAN LEH: Okay. Representative  
11 Jess Stairs?

12 REPRESENTATIVE STAIRS: Thank you, Mr. Chairman.  
13 I have a question. My first question, and I don't know if you  
14 can, Mr. Klingaman, answer this. If not, maybe staff can  
15 answer it. Over the years this issue of local governments  
16 having the power to use the radar type devices for speeding  
17 and enforcement has always been opposed by the State  
18 Troopers. At least, I have received information to that  
19 effect. Are you aware of any correspondence from the State  
20 Troopers of their opposition to this or if they have changed  
21 or, one way or the other? If can't answer, maybe somebody  
22 on the Committee can answer that because I have always taken  
23 their word because I respect our State Troopers and they have  
24 always opposed it. Can you update me on that any?

25 MR. KLINGAMAN: No, I could not. That may have to

1 be someone --

2 REPRESENTATIVE STAIRS: Maybe staff knows.

3 MR. PARSELLS: The Democratic Policy Committee  
4 had a hearing about two years ago and the State Police did  
5 testify there and I think there was reluctant agreement, the  
6 fact that they do now support --

7 CHAIRMAN GEIST: With controls?

8 REPRESENTATIVE STAIRS: With stipulations.

9 CHAIRMAN GEIST: There was a lot of control.

10 MR. BUGAILE: Correct me if I'm wrong, that's the  
11 official State Police standing as opposed to the Association?

12 MR. PARSELLS: I think we had both and I think they  
13 are all on board with restrictions.

14 REPRESENTATIVE STAIRS: That's something that needs  
15 clarified. That has always been, in my mind, a concern and  
16 I respect their opinion and when they would come out in the  
17 past and opposed it, I certainly was reluctant to support it  
18 but maybe with certain stipulations as other states have.

19 My second question is my personal feeling is for  
20 safety, yes, but for revenue enhancement, no. How do you  
21 keep those from being intermixed? That is a fine line, I  
22 think, and how do we protect the motorists, that we are doing  
23 it for safety purposes and the one community says, well, we  
24 are going to fatten the budget? How do you keep those two  
25 from mixing together? That's my concern.

1 MR. KLINGAMAN: The proposal that I put in here  
2 essentially is -- I'm not sure exactly how strong the State  
3 Association is in that but it's something I did talk with  
4 them about and indicated I was putting in the testimony and  
5 that is the use of handing over the monies to a State fund  
6 which then would allow municipalities to get that money back  
7 as it relates to training and certification, the purchase of  
8 equipment, the maintenance of equipment. So, it would be out  
9 and then back in approach. My belief would be that they  
10 wouldn't be looking at revenue as the driving force then. It  
11 would be a matter of running the program and paying for the  
12 expenses that relate to the program.

13 REPRESENTATIVE STAIRS: That's important to hear  
14 that because I fear that it's a revenue enhancer here.

15 SUBCOMMITTEE CHAIRMAN LEH: Representative  
16 Strittmatter?

17 REPRESENTATIVE STRITTMATTER: Hi, Gary. It's nice  
18 to see you again. On point three that you have, you said in  
19 order for the bill to receive the full support from the State  
20 Association, you say it could be addressed. Is addressing it  
21 by just telling us this or does it mean we have to do some-  
22 thing because before you got here, we went over the fact that  
23 for many years we have been trying to get this tool which, I  
24 think, is very needed and I support but in order to give that  
25 tool to the townships, we have to assure people, just like



1 Representative Stairs with the revenue enhancement, also with  
2 the point generation. Many times they don't feel it's there  
3 with the points and insurance companies. It clouds the issue.  
4 Is it possible for the Supervisors Association to say they  
5 would like to have this but that they will still support the  
6 bill the way it is now with the points assigned only when it's  
7 very very high so we can get started and maybe look at it in  
8 five years?

9 MR. KLINGAMAN: I'm not sure how strong that  
10 position is from the Association's standpoint. I just know  
11 in my discussions with legislative affairs there, that's one  
12 issue.

13 REPRESENTATIVE STRITTMATTER: If you could check  
14 with them and get back to the Chairman and the prime sponsor,  
15 it's critical. There is no reason to go forward unless there  
16 is complete support. You have to have everybody working for  
17 it.

18 CHAIRMAN GEIST: If we're not all on the same page

19 REPRESENTATIVE STRITTMATTER: If we have a couple  
20 people not on board, then the other detractors say, well,  
21 there is no reason to bring it up. In order to bring it up,  
22 the Majority Leader has to say, I'm going to bring a piece of  
23 legislation up that has some chance of passing. We are not  
24 going to bring something up to fail again. If the townships  
25 can't live with compromise legislation, it's important for us

1 to know so that we don't offer the legislation. We'll work  
2 on it again. We'll hold hearings and we'll try to get more  
3 education and in two years we'll bring it up again. The  
4 prime sponsor and the Chairman have to go to the leader and  
5 say, if we report this bill out, then you have to have the  
6 support and you are going to have to have everybody behind it  
7 and you are actually going to have it go because there are  
8 10,000 other things that everybody wants to do and we don't  
9 want to have something come up and then fail. So, that's just  
10 real important, any detractors would look at this testimony  
11 and that would be a critical thing they would ask. They  
12 would ask, are the points in and we might lose support for  
13 this legislation that we all supported. So, I just point  
14 that out to you on the legislative process. If you could get  
15 back to your Association and get back right away to the  
16 Chairman and to the Subcommittee Chairman.

17 SUBCOMMITTEE CHAIRMAN LEH: That's an important  
18 point that the Representative makes because should the bill  
19 come out of Committee, some of your members, all of your  
20 members, members and colleagues of yours, could all of a  
21 sudden feel the need to maybe change the bill somewhat, make  
22 it a little bit more better for yourselves. If that happens,  
23 it sends a bad message to us. It confuses the members of the  
24 House because now you have agreed upon a bill. Now, all of a  
25 sudden, you are going to change it and that can torpedo a

1 bill. I guarantee you that if this bill goes down, it's  
2 going to be a long time before this issue is revisited.  
3 That's my concern. The concern with the points, that's a  
4 philosophy. The political philosophy behind not assigning  
5 the points in the same manner is simply that we don't want  
6 our constituents' insurance premiums going through the  
7 ceiling. By doing that, we will ward off maybe another  
8 crisis in trying to provide affordable car insurance for  
9 people. At this point, and here again, that doesn't mean  
10 that what's in this bill is going to be in this bill forever  
11 but let's move forward with the way things are in the bill  
12 as much as possible and if things work fine, if the people of  
13 Pennsylvania, the motoring public, become accustomed to it,  
14 they learn to live with it, then maybe we can make some  
15 changes if necessary.

16 CHAIRMAN GEIST: I want to reinforce this. When  
17 Dave Steil brought his lemon to the floor of the House and  
18 was so soundly overwhelmingly defeated, we have to be able  
19 to put enough meat on this thing and go back and convince an  
20 awful lot of people who voted no to switch the votes. The  
21 easy vote is to vote no. The condition vote over time has  
22 been to vote no and we want to be able to have Dennis Leh  
23 be on the floor of the House saying the supervisors are  
24 unanimous, all local governments, and that the people who  
25 look at this through the motoring public eyes and see it as

1 public safety and Dennis has done a fantastic job of crafting  
2 it and Ed Connors, the Chiefs, have done a great job of  
3 crafting that in meeting after meeting. There is a lot of  
4 time that has gone into this. When some whelming police  
5 chief in Bucks County decides that he wants to push an amend-  
6 ment and some member jumps up and offers it to a Title 75,  
7 all our good work goes down the tubes and that's why we all  
8 have to be on the same page. We can't afford any more amend-  
9 ments and I call them wacko bills. There are enough wackos  
10 out there without us being one of them.

11 MR. KLINGAMAN: From the perspective of other  
12 associations, boroughs, what is their position on that  
13 particular issue so I can take that back?

14 CHAIRMAN GEIST: There is our expert right there.  
15 He's got the veins and arteries.

16 SUBCOMMITTEE CHAIRMAN LEH: What they would like to  
17 see are some things like you yourself would like to see but  
18 I think, and I don't want to speak for Ed, but I think they  
19 realize the political ramifications of let's go with what we  
20 have here in the bill and if things work out, then possibly  
21 you can move forward, if things work out, because, believe me,  
22 I keep saying this. The Legislature is not going to consider  
23 a bill that is any less than this. We have crafted this bill  
24 to be about as much as we can give and I know a lot of you  
25 may not like that but it's either this or nothing and that's

1 not what we are saying. That's what the Legislature is  
2 saying. It will be hard enough to get this through the way  
3 it is. I hate to say that you fellows have to prove yourself  
4 over time but this is what the body of the Legislature wants  
5 to see.

6 CHAIRMAN GEIST: Responsible professional police  
7 officers are willing to do that and have stepped up to the  
8 plate and said, we will do that and we will attempt to police  
9 our own. Nobody has ever said that before. That is something  
10 pretty new for the police association to take that position.  
11 I know they have personally contacted departments that have  
12 abused them. So, we are looking at a new day. Whether it's  
13 going to work or not, we don't know but we are trying.

14 MR. BUGAILE: On the line of Representative  
15 Strittmatter's questioning regarding what you would support,  
16 you really didn't comment on the provision in the bill regard-  
17 ing signage, to have signs located that radar is in operation,  
18 and also you mentioned the marked police car. More than that,  
19 it talks about having a police car that is visible to the  
20 motorists. Would you support both of those provisions?

21 MR. KLINGAMAN: Yes.

22 MR. BUGAILE: As an association?

23 MR. KLINGAMAN: Yes.

24 MR. BUGAILE: Thank you.

25 SUBCOMMITTEE CHAIRMAN LEH: Okay. Any other

1 questions by any other members?

2 (No response.)

3 SUBCOMMITTEE CHAIRMAN LEH: There being none, it  
4 would be remiss of me not to acknowledge Edam Herr's part in  
5 this who represents you people in Harrisburg. He does an  
6 excellent job. He has been at some of the roundtable  
7 discussions we have had and has played a part in that and we  
8 are thankful for that. With that, I want to thank everybody.  
9 Is there anyone else that would like to offer any remarks or  
10 comments?

11 (No response.)

12 SUBCOMMITTEE CHAIRMAN LEH: If not, this meeting  
13 stands adjourned. Thank you very much.

14 (The following was submitted for inclusion in the  
15 record:)

16 TESTIMONY BEFORE THE HOUSE TRANSPORTATION COMMITTEE

17 GARY J. KLINGMAN, ON BEHALF OF THE PENNSYLVANIA

18 STATE ASSOCIATION OF TOWNSHIP SUPERVISORS

19 AUGUST 22, 2001

20 REGIONAL ENTERPRISE TOWER

21 PITTSBURGH, PA

22 I appreciate the opportunity to provide  
23 testimony, on behalf of the Pennsylvania State Associa-  
24 tion of Township Supervisors (PSATS), pertaining to  
25 House Bill No. 1961. It is important to note up front

1 that PSATS supports the use of radar as a traffic  
2 control device. The use should be focused on providing  
3 safe travel for the motoring public, pedestrians and  
4 others.

5 One of the issues that continues to weight  
6 down this legislation is that radar could be used as a  
7 revenue-producing initiative for a municipal police  
8 department. As indicated before, the use of radar at  
9 the municipal level should have safety as the main  
10 objective. To help the safety objective at the fore-  
11 front, a consideration could be made to have municipal  
12 police departments submit 100 percent of their revenue  
13 to the State. In turn, the State could offer grant  
14 programs to the municipalities for equipment purchases  
15 and even for upkeep, maintenance, training and certifica-  
16 tion. Thus, it would remain a revenue-neutral proposal  
17 with safety as the main focus. Radar can be very  
18 effective in areas where VASCAR and other traffic  
19 control methods are not feasible, especially in  
20 residential areas, park sites, etc.

21 In order for this bill to receive full  
22 support from the State Association, a number of items  
23 need to be addressed:

- 24 1) Use of marked police cars only;
- 25 2) Maintain provision for fulltime, full-

1 service police department (this should  
2 not expire after a five year period),  
3 but stay with the legislation for the  
4 duration;

5 3) Assign points as per normal procedure,  
6 no exception;

7 4) Calibration of radar equipment on an  
8 annual basis;

9 5) Sub-section 3368g "Defense" should  
10 remain in effect not expire in five (5)  
11 years (under the earlier proposal I out-  
12 lined, this section would not be necessary!)

13 In conclusion, the use of radar is seen as an  
14 effective traffic safety tool. Recognizing that revenue  
15 production cannot be ignored, it should be incidental  
16 to the main purpose and we believe that radar will be  
17 successful under those terms. I am certainly willing  
18 to entertain any questions you may have and, in addition,  
19 I'll be corresponding with the State Association on all  
20 discussions at this hearing today.

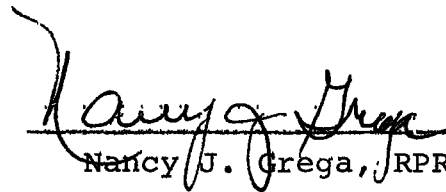
21 Thank you for your time and attention.

22 (The hearing terminated at 11:45 A.M.)  
23  
24  
25



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I hereby certify that the proceedings and evidence taken by me in the above-entitled matter are fully and accurately indicated in my notes and that this is a true and correct transcript of same.

  
Nancy J. Grega, RPR/nac