

ORIGINAL

HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA  
TRANSPORTATION COMMITTEE HEARING

IN RE: HOUSE BILL 1572, RED LIGHT CAMERAS

PHILADELPHIA CITY HALL  
CITY COUNCIL CHAMBERS  
PHILADELPHIA, PENNSYLVANIA

WEDNESDAY, NOVEMBER 7, 2001, 1:33 P.M.

BEFORE:

HON. RICHARD GEIST, CHAIRMAN  
HON. KATE HARPER  
HON. DICK HESS  
HON. GEORGE KENNEY  
HON. DENNIS LEH  
HON. KEITH MCCALL  
HON. LAWRENCE ROBERTS  
HON. DANTE SANTONI  
HON. LEANNA WASHINGTON

ALSO PRESENT:

ROBERT MUSTIN  
PAUL PARSELLS

JEAN M. DAVIS, REPORTER  
NOTARY PUBLIC



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1                   CHAIRMAN GEIST: We are pleased to be  
2 in the city of brotherly love at George Kenney's  
3 request. We have been in Baltimore looking at this  
4 apparatus working, and now we are taking a look at  
5 maybe what is going to happen in the future in  
6 Pennsylvania and brought the Committee down here to  
7 hear testimony. Since I can't see, why don't we  
8 start from the left and let everybody identify  
9 themselves.

10                   REPRESENTATIVE HARPER: I'm Kate  
11 Harper from Montgomery County.

12                   REPRESENTATIVE ROBERTS: State  
13 Representative Larry Roberts from Fayette County.

14                   REPRESENTATIVE LEH: Representative  
15 Dennis Leh from eastern Berks County.

16                   REPRESENTATIVE KENNEY: Representative  
17 George Kenney, Philadelphia.

18                   REPRESENTATIVE McCALL: Representative  
19 Keith McCall, Carbon County.

20                   MR. PARSELLS: Paul Parsells, Director  
21 of the Transportation Committee for the Democratic  
22 Caucus.

23                   MR. MUSTIN: Bob Mustin, Counsel for  
24 the Democratic Caucus.

25                   CHAIRMAN GEIST: Are there any other

1 members here? I know we are expecting other members  
2 to attend.

3 REPRESENTATIVE HESS: Representative  
4 Dick Hess from Bedford County.

5 CHAIRMAN GEIST: All right. I'm going  
6 to turn this over immediately to George so that we  
7 can stay on schedule.

8 REPRESENTATIVE KENNEY: Thank you, Mr.  
9 Chairman. Welcome. I would also like to thank  
10 Chairman McCall and members of the House  
11 Transportation Committee for having this hearing in  
12 Philadelphia. I also want to thank those who will  
13 be presenting testimony for taking the time to join  
14 us here today.

15 The city of Philadelphia has a traffic  
16 safety crisis on its hands. Last year, drivers who  
17 ran red lights killed 16 people in this city and  
18 injured over 4,700 more. These reckless drivers  
19 caused 3,300 crashes in the year 2000, making red  
20 light running the leading cause of traffic accidents  
21 in Philadelphia.

22 We are here today to discuss a  
23 potential solution to this problem. House Bill  
24 1572, which I sponsor, would give municipalities the  
25 option of installing cameras at intersections to

1 catch red light runners in the act.

2 These traffic signal violation  
3 monitoring systems have already been installed in 46  
4 cities across America, including New York, Los  
5 Angeles and Washington D.C. And early evidence  
6 shows that they work. In cities where they've been  
7 installed, the incidents of running red lights have  
8 been cut nearly in half.

9 These systems give municipalities a  
10 valuable public safety and law enforcement tool.  
11 The Philadelphia Police Department does not have the  
12 manpower to put an officer on every dangerous corner  
13 of the city. I believe these cameras would greatly  
14 assist local law enforcement in the apprehension of  
15 red light runners.

16 As they say, a picture is worth a  
17 thousand words. I, unfortunately, have two of the  
18 most dangerous intersections in the country as  
19 reported by State Farm earlier this year, both  
20 located on Roosevelt Boulevard in my legislative  
21 district; Roosevelt Boulevard and Grant Avenue and  
22 Roosevelt Boulevard and Red Lion Road.

23 And as a Philadelphian, I want to see  
24 something done to alleviate this traffic safety  
25 crisis. I'm sure everyone who drives on the roads

1 of this city feels the same way.

2 Running red lights is stupid and it  
3 can be lethal. Sadly, if motorists can't exercise  
4 common sense and good judgment, then we must resort  
5 to measures such as this. Whether these devices  
6 will solve the problem entirely remains to be seen,  
7 but it is certainly a step in the right direction.

8 Again, Mr. Chairman, thank you and the  
9 Committee for coming to hear our testimony.

10 CHAIRMAN GEIST: Representative LeAnna  
11 Washington from Philadelphia has joined us.

12 REPRESENTATIVE KENNEY: The first  
13 presenter is The Honorable Frank Rizzo, Philadelphia  
14 Councilman at Large.

15 MR. RIZZO: Thank you, Representative  
16 Kenney. Welcome all of you to Philadelphia, and we  
17 appreciate you coming here today. This is a very  
18 important issue to our city, and I have a prepared  
19 statement which I shared with everyone. Mr.  
20 Chairman, thank you for convening this hearing in  
21 the city.

22 Good afternoon, Honorable Chairman and  
23 members of the Pennsylvania House of  
24 Representatives. I am Philadelphia City Councilman  
25 Frank Rizzo, and I am here to testify in support of

1 a red light camera system for the Commonwealth of  
2 Pennsylvania, and particularly for the city of  
3 Philadelphia.

4 I am pleased with the initiative that  
5 State Representative George Kenney has taken in the  
6 Pennsylvania House of Representatives that would  
7 allow the city of Philadelphia to implement a red  
8 light photo monitoring system at dangerous  
9 intersections around the city, and which would  
10 undoubtedly prevent many unnecessary deaths,  
11 injuries, and property damage that can be attributed  
12 to careless motorists violating red lights at  
13 intersections around the city of Philadelphia.

14 On Thursday, November the 2nd in the  
15 year 2000, I introduced in Philadelphia City  
16 Council, Bill 682. The objective of my legislation  
17 is to implement a photo monitoring system at  
18 dangerous intersections in the city of Philadelphia  
19 in order to photograph vehicle license plates of  
20 motorists who create hazardous situations at  
21 intersections around the city.

22 It provides for, among other things,  
23 photo monitoring of red light violations, as well as  
24 photo monitoring of the traffic conditions that  
25 exist in the city intersections known as gridlock.

1 I'm aware that Bill 1572 does not address the issue  
2 of camera enforcement at intersections, which would  
3 reduce the dangerous effects of traffic gridlock.

4 But I request that the members of this  
5 Committee take into consideration the serious  
6 traffic problem as you deliberate on the issue of  
7 photo enforcement at intersections. It is a traffic  
8 condition that negatively impacts traffic flow and  
9 pedestrian safety, emergency response capability,  
10 the environment, tourism, and the general quality of  
11 life in our city.

12 The statistics of the number of  
13 accidents caused by red light violations every year  
14 in Philadelphia, as well as around the country, are  
15 overwhelming. Hundreds of deaths and thousands of  
16 injuries each year around the United States have  
17 highlighted the need for red light photo monitoring  
18 systems. However, the statistics relating to the  
19 effectiveness of photo monitoring enforcement  
20 systems that have been implemented around the  
21 country are impressive.

22 In many instances, these systems have  
23 been responsible for reductions in red light traffic  
24 accidents and deaths, injuries and property damage  
25 associated with them, of between 40 and 60 percent.



1                   With two of our most dangerous  
2 intersections in the country located right in  
3 northeast Philadelphia in Representative Kenney's  
4 district, I hope that we can work together in the  
5 future in order to ensure that the objectives that I  
6 have just briefly described can be met.

7                   And I would be happy if you had any  
8 questions for me.

9                   REPRESENTATIVE KENNEY: Thank you,  
10 Councilman Rizzo.

11                   Any questions of the Councilman?  
12 Representative Roberts.

13                   REPRESENTATIVE ROBERTS: Yes, sir.  
14 I'm interested in the bill you introduced, 682. Has  
15 it been implemented?

16                   MR. RIZZO: No, sir. We are waiting  
17 for your enabling legislation.

18                   REPRESENTATIVE ROBERTS: I see.

19                   MR. RIZZO: We would like to implement  
20 it tomorrow.

21                   REPRESENTATIVE ROBERTS: Thank you.

22                   REPRESENTATIVE KENNEY: Councilman,  
23 one question. My legislation and those that  
24 co-sponsor deal strictly with red light cameras.  
25 You propose something beyond that, which would be

1 photo monitoring in city intersections that become  
2 congested. Is that technology being used anywhere  
3 today and is it effective?

4 MR. RIZZO: Just to briefly comment,  
5 when I started this I was trying to deal with the  
6 problem that I see personally and have been  
7 communicated with the gridlock situation that we  
8 have in the city of Philadelphia. Yes, technology,  
9 I believe, that we would adopt has the ability to be  
10 calibrated in a way where if a vehicle encroaches  
11 into an intersection and the vehicle even at a slow  
12 speed passes the crosswalk -- let's say that the  
13 intersection clears. What's happening in our city  
14 is that you could stop at a green light or a red  
15 light, and we've all experienced it, where you get  
16 green, that traffic that has the red just continues.  
17 And you could sit there for two or three cycles of  
18 the light because the traffic just continues to  
19 encroach into the intersection.

20 What this technology does have the  
21 ability to do, after the equipment identifies the  
22 intersection has cleared and that now has a red  
23 light, any further vehicles creeping through the  
24 intersection would also be photoed and issued a  
25 ticket, because they have violated a red light, even

1     though they did it at 2 or 3 or 4 miles an hour  
2     versus 75 or 40 miles an hour.

3             So what we would like to eventually  
4     get -- and I know this isn't exactly --  
5     Representative Kenney's legislation is addressing  
6     this, but I would hope that in this bill that  
7     eventually if an amendment can be considered to  
8     include and help. And I'm sure the other regions in  
9     the state that also have gridlock situations, that  
10    this legislation could address that issue also.

11            REPRESENTATIVE KENNEY: Councilman,  
12    are we using that technology anywhere in the country  
13    today?

14            MR. RIZZO: Yes, we are. From what I  
15    understand, the technology is available and in use.  
16    I cannot break it down to tell you exactly where  
17    that is being utilized, but from the meetings that I  
18    have, Representative Kenney, that technology can be  
19    tweaked to do what I just described.

20            REPRESENTATIVE KENNEY: Thank you.  
21    Any further questions?

22            REPRESENTATIVE ROBERTS: I am sort of  
23    at a loss here. You are saying that Representative  
24    Kenney's legislation does not address the situation  
25    you just discussed?

1           MR. RIZZO: From what I understand of  
2 the legislation, and according to State  
3 Representative Kenney, that the legislation would  
4 address the person that violates a traffic signal at  
5 a high rate of speed, 15, 20, 40 miles an hour, but  
6 it will not address the -- what I just described,  
7 the gridlock situation where people just keep --  
8 they get bumper-to-bumper and they just keep going  
9 and hoping that they can get through the  
10 intersection.

11           But the cameras cannot, because they  
12 are not calibrated in this scenario to take a photo  
13 of a slow-moving vehicle. And in our city, just if  
14 I might, one of the bigger concerns we have with  
15 pedestrian traffic is that as kids we were all  
16 taught not to cross between cars that are running at  
17 an intersection. And what we have every day in our  
18 city is a gridlock situation where our pedestrians  
19 get a green light or a walk light. And they then  
20 proceed to try to squeeze in between the bumpers of  
21 two vehicles stopped at an intersection, gridlocked  
22 at an intersection. And you all know, I don't need  
23 to tell you, what the potential of a serious injury  
24 in the event that a motorist would --

25           REPRESENTATIVE ROBERTS: So you would

1 like to see Representative Kenney's legislation  
2 amended?

3 MR. RIZZO: I would like to see it.  
4 And I can imagine in other parts of the Commonwealth  
5 that this is also a concern. If Representative  
6 Kenney would consider that, the Committee consider  
7 that, I think it would be a big help to us here in  
8 the city.

9 REPRESENTATIVE ROBERTS: Thank you.

10 MR. RIZZO: Thank you. Thank you for  
11 this opportunity.

12 REPRESENTATIVE KENNEY: Thank you,  
13 Councilman.

14 Next on the agenda is Lt. Pat Burke,  
15 Traffic Safety Coordinator, District of Columbia  
16 Metropolitan Police District.

17 MR. BURKE: Good afternoon.

18 REPRESENTATIVE KENNEY: Lieutenant, do  
19 you have written testimony?

20 MR. BURKE: Yes, I do.

21 Good afternoon, Chairman Geist,  
22 members of the Committee and guests. I thank you  
23 for the opportunity to present testimony this  
24 afternoon on the District of Columbia's  
25 implementation of automated traffic enforcement

1 programs and the public safety benefits of these  
2 programs. Our web site, [mpdc.dc.gov](http://mpdc.dc.gov), includes  
3 detailed information about the operation and results  
4 of our red light program.

5 Through the leadership and vision of  
6 our Chief of Police, City Council and Mayor, the  
7 District of Columbia has been able to put in place a  
8 comprehensive program to address what citizens tell  
9 us is their most pressing public safety concern,  
10 unsafe driving.

11 Citywide surveys of D.C. residents,  
12 conducted for our department in both 1998 and 1999,  
13 show that unsafe driving remains the top safety  
14 concern in almost every one of our neighborhoods,  
15 ahead of such problems as attacks and robberies,  
16 home break-ins and drug dealing. The public has  
17 demanded action on this problem. And thanks to the  
18 leadership and support of our Mayor, City Council  
19 and many other people, the Metropolitan Police  
20 Department has been able to respond with an  
21 automated traffic enforcement program that is  
22 effective, affordable and enjoys the overwhelming  
23 support of our residents.

24 Despite the impression left by some of  
25 the media reporting on this issue, public opinion

1 poll after public opinion poll shows that our  
2 residents overwhelmingly favor the use of photo  
3 enforcement to address aggressive driving behaviors  
4 such as red light running and speeding.

5 AAA Mid-Atlantic's Transportation Poll  
6 in 2000 found that 77 percent of D.C.-area residents  
7 support the use of cameras to target aggressive  
8 drivers. Another poll, conducted by Riter Research  
9 on behalf of the 2001 Metropolitan Washington  
10 regional Smooth Operator program, indicated that 78  
11 percent of the licensed drivers in our area favor  
12 these programs. And a 2001 Harris Poll, completed  
13 for the Advocates for Highway and Auto Safety, show  
14 that 73 percent of the public support red light  
15 camera enforcement and 77 percent want more speed  
16 enforcement, especially in residential  
17 neighborhoods.

18 Our communities favor the red light  
19 program for a simple reason, the program works. It  
20 makes our streets safer, for motorists, pedestrians,  
21 bicyclists and children, by getting aggressive  
22 drivers to change their behavior, to slow down and  
23 to stop at red lights.

24 I am happy to share with you today our  
25 progress to date in reducing red light running in

1 the District of Columbia through the use of this  
2 technology. Before I get into the numbers, let me  
3 be very clear about one thing, and that is the goal  
4 of the District's photo enforcement program. Our  
5 goal is very simple and straightforward. It is to  
6 reduce the number of traffic violations in our city,  
7 thereby reducing the number of crashes, preventing  
8 injuries and saving lives. I am very pleased with  
9 our results thus far in achieving that goal.

10 Our red light camera program became  
11 operational in August 1999, following a 30-day  
12 warning period. Since then, we have seen a 63  
13 percent reduction in red light running violations at  
14 the 39 intersections where cameras are located.  
15 That correlates to approximately 24,000 fewer red  
16 light violations each and every month just at those  
17 monitored intersections.

18 Let me give you one example: New York  
19 Avenue and 4th Street NW, the site of one of our  
20 first two red light cameras. In August of 1999,  
21 that camera caught nearly 7,600 violators running a  
22 red light at that location. Last month, the number  
23 of violations was fewer than 1,600, a reduction of  
24 79 percent.

25 I still think that 1,600 motorists



1 running a red light at any one intersection is  
2 outrageous. But given the traffic volume at that  
3 location and the history of crashes there, 1,600  
4 violations a month sounds a lot better than 7,600.  
5 And New York Avenue and 4th Street is not the  
6 exception, it's the rule. We have experienced  
7 reductions in red light running at each and every  
8 intersection where a camera has been placed;  
9 reductions that, quite frankly, would have been  
10 impossible using traditional law enforcement  
11 approaches.

12 To change drivers' behavior, we need  
13 the type of fair and consistent enforcement that  
14 photo enforcement provides. And just an example, in  
15 D.C., for instance, we run about 950,000 cars in and  
16 out of the city every day. So just traditional law  
17 enforcement alone, it's numbers, statistics. If you  
18 take the odds with officers alone, you're not going  
19 to be able to stop all the violators. It's also not  
20 pragmatic to certain intersections, especially with  
21 rush hour in D.C., which is about four hours long  
22 now. If you put an officer out there and stop maybe  
23 one or two cars for violating red lights, we've got  
24 a safety issue for the officers and the motorists,  
25 and we're also taking away a lane of traffic, so we

1 are making rush hour even more congested.

2 At a national level, red light running  
3 is responsible for approximately 250,000 crashes  
4 each year and at least 750 fatalities. In terms of  
5 injuries, deaths and property damage, the cost to  
6 society of crashes caused by red light running  
7 exceeds \$7 billion each year.

8 The sad part is that these losses are  
9 preventable and that the District of Columbia  
10 continues to bear some of those costs, both human  
11 and financial. But I am pleased to report that the  
12 costs of red light running in D.C. are lower today  
13 than they were two years ago because of the  
14 effectiveness of our automated enforcement program.

15 Decisions about the locations of all  
16 red light cameras are made by the Metropolitan  
17 Police Department. These locations are listed on  
18 our web site, part of our ongoing effort to notify  
19 motorists and others in the community about these  
20 traffic safety programs. Once again, we try to let  
21 people know exactly where our cameras are. And,  
22 once again, it's not a gotcha thing. It's a public  
23 safety issue.

24 Our goal is to get more people to obey  
25 the law, and informing the public about these

1 programs and the consequences of violating the law  
2 is an important part of that effort. And based upon  
3 the information we use for our locations are based  
4 strictly on not where we are going to get the most  
5 violations, we look at where our patterns are, where  
6 we see our high capacities for crashes, and where  
7 we've experienced our red light running fatalities.

8 Traffic safety is a major issue for  
9 the District of Columbia, as I know it is in the  
10 Commonwealth of Pennsylvania, and it will only grow  
11 in importance in the future. The most recent  
12 projections for the Washington Metropolitan area are  
13 that traffic will increase by 40 percent within the  
14 next 20 years, while road capacities are supposed to  
15 grow by only 9 percent.

16 If experience is any guide, residents  
17 can expect more congestion, more frustration and  
18 potentially more aggressive driving on our streets  
19 as a result of these trends. In these challenging  
20 times, with increased demands on police departments  
21 as a whole, automated traffic enforcement allows us  
22 to address our citizens' concerns about unsafe  
23 driving and to do so without having to take officers  
24 from neighborhood patrols or other critical  
25 assignments. This is a classic win-win situation.

1                   And if you'll indulge me for a few  
2 moments, I can give you more information through a  
3 power point presentation.

4                   CHAIRMAN GEIST: If the slides aren't  
5 visible, can we dim the lights?

6                   MR. BURKE: Thank you. I'll give you  
7 a quick run-through of about 12 slides of our photo  
8 enforcement program and some of the benefits. This  
9 is exactly what we are trying to prevent, a crash at  
10 one of our intersections in D.C. And, like you, I  
11 know a lot of the insurance companies do evaluations  
12 of the most dangerous intersections in the area,  
13 which is exactly what we are trying to prevent.

14                   And some of these will be a little cut  
15 off, but I can explain how the technology works.  
16 First of all, for a red light camera controlled  
17 intersection, there's magnetic strips embedded into  
18 the roadway. As the vehicle passes the strips after  
19 the light turns red, a first photo was taken. A  
20 second photo was taken as the vehicle enters the  
21 intersection.

22                   And these are just a few of the images  
23 that we have. For instance, this is New York and  
24 New Jersey, one of our problem intersections. You  
25 see the light prior to the offender entering. The

1 light has already been red for eight seconds as this  
2 car is approaching. And this is the result of the  
3 vehicle running the red light and the crash that  
4 results, once again with injuries incurred as a  
5 result of that crash.

6 These are a few of the additional  
7 images. Once again, we have a red light right here.  
8 The car enters. It's nine seconds after the light's  
9 turned red; and, once again, a crash over here.  
10 Unfortunately, this is a Pennsylvania tag, and  
11 that's the image that comes out of the tag. But  
12 it's a clear image regardless of the time of day,  
13 the lighting or the weather.

14 The data blocks --

15 CHAIRMAN GEIST: Can you site a  
16 traffic violation off of that?

17 MR. BURKE: Yes, sir, absolutely. And  
18 as I'll talk about further, the images are prima  
19 facie evidence in Washington, D.C., so the photo in  
20 and of itself --

21 CHAIRMAN GEIST: Who has to prove who  
22 was driving the vehicle?

23 MR. BURKE: It's registered on the  
24 liability. So what we are saying is that if the  
25 vehicle is registered in your name, you are

1 responsible unless you can show that another person  
2 was driving.

3 Now, if the vehicle was stolen or  
4 there's some other incidence, once again, we will  
5 take that into account with the report number so we  
6 can discount that right away.

7 MR. PARSELLS: Excuse me, Lieutenant,  
8 but in a crash would you file additional charges  
9 other than the red light running?

10 MR. BURKE: No, not at this point.  
11 Once again, I'll elaborate on this as well, we are  
12 not taking pictures, as some jurisdictions do, of  
13 the person's face. We're taking pictures of  
14 violators only, a rear tag only, so it would be  
15 difficult for the officers to go back and get an  
16 arrest warrant, let's say if it was a hit-and-run  
17 collision, and come back just on the registered  
18 owner alone. Especially you might be pitting  
19 husbands against wives and some different issues  
20 there.

21 MR. PARSELLS: In the case of an  
22 accident, though, where the vehicle still sits  
23 there, are you using that photo for any kind of --

24 MR. BURKE: As far as the police  
25 following it up, yes. If it's a camera-controlled

1 intersection, the police department needs to follow  
2 up to verify whose story was right. Let's say there  
3 were no non-involved witnesses at the intersection,  
4 we could use that photo for that evidence as well.

5 MR. PARSELLS: But there would be no  
6 other vehicle code charges, for example, other than  
7 the red light running?

8 MR. BURKE: No, we wouldn't use  
9 anything else.

10 MR. MUSTIN: Lieutenant, that's a  
11 civil offense, not a criminal offense?

12 MR. BURKE: Yes, these are civil  
13 offenses in D.C., which is, once again, why we can  
14 go with registered owner liability.

15 As far as the data blocks, the few  
16 things that we show, of course the time of the  
17 violation, the date, the time, the amount of time in  
18 seconds that the light was red for, a location code,  
19 the violation number. We can also look at how long  
20 the yellow light was at that particular  
21 intersection. In Washington, D.C., our lights meet  
22 or exceed federal standards. I believe our shortest  
23 light at a camera-controlled intersection was 3.9  
24 seconds. And those are, once again, timed in with  
25 the engineering as to the speed of the street.

1                   And the second photo, another nice  
2 picture of that, shows the speed of the motorist as  
3 they pass the intersection, so we can get additional  
4 information on that, especially if a car is driving  
5 55 miles per hour through a 25-mile-per-hour  
6 intersection, and how many seconds after the light  
7 was red adds a lot to it.

8                   A few of our numbers: Since we  
9 implemented the program, once again, in August of  
10 1999 to date, we have seen about a 63 percent  
11 reduction as I mentioned, more than 24,000 fewer  
12 violations each month just at those intersections.

13                   And as an ancillary benefit, once  
14 again, I feel that although we have posted these  
15 intersections and put that information out on our  
16 web site, a lot of people don't take up on that.  
17 But they realize, not only D.C. but in our  
18 surrounding jurisdictions, P.G., Fairfax,  
19 Montgomery, everybody's got some sort of photo red  
20 light they don't know, so I think they're a lot more  
21 hesitant to run a red light no matter what  
22 intersection they're at.

23                   CHAIRMAN GEIST: Can you run just a  
24 little math for me; 260,000 notices?

25                   MR. BURKE: 260,000 notices.



1                   CHAIRMAN GEIST:  What does each one of  
2 those tickets cost?

3                   MR. BURKE:  It carries a \$75 fine in  
4 the District of Columbia and no points assessed.

5                   CHAIRMAN GEIST:  Does that money go to  
6 the city's general fund?

7                   MR. BURKE:  That's correct, sir, it  
8 goes to the city's general fund.

9                   The next statistic that I'll mention,  
10 red light running in Washington, D.C. -- once again,  
11 this is our bottom line -- the numbers fell from 16  
12 percent in 1998 to just 2 percent last year, which  
13 was our first full year of red light enforcement.  
14 We had one traffic fatality that occurred as a  
15 result of red lights in the District of Columbia  
16 last year.

17                   Through October 2001, almost 260,000  
18 notices of infraction have been mailed.  And as you  
19 see in some of the notes that I read earlier, in  
20 other jurisdictions we have seen up to 40 percent  
21 reductions in violations.  An Oxnard, California  
22 study showed a 29 percent reduction in injury  
23 crashes.

24                   The reliability of the technology --  
25 and, once again, this isn't something new that we

1 were so bold to take on. It's been proven  
2 technology used for over 30 years in 75 countries  
3 throughout the world. The United States is more  
4 slowly adapting as jurisdictions prove its  
5 effectiveness in reducing violations, injuries and  
6 fatalities.

7 As I mentioned, the photos alone are  
8 prima facie in Washington, D.C. There's multiple  
9 levels of review, including an MPD officer who does  
10 the final review and stamps off on it before it goes  
11 out in the mail.

12 CHAIRMAN GEIST: What percentage of  
13 them are challenged?

14 MR. BURKE: What percentage? I'd have  
15 to get you the numbers. Initially, it was a large  
16 number. And as the technology has, I guess, become  
17 more accepted, the numbers have dropped greatly, but  
18 I can look into those numbers, sir, and get back to  
19 you with that.

20 We put a lot of time in with our  
21 Bureau of Traffic Adjudication in Washington, D.C.  
22 to make sure that they bought into the program and  
23 the technology as well, because if they're not going  
24 to adjudicate the tickets, why even go forward in  
25 the first place. They're got to buy into the

1 technology.

2                   Once again, there's no conspiracy to  
3 rig the systems. As some of the media, I know  
4 articles have mentioned before, there were no  
5 efforts to shorten yellow cycles or anything like  
6 that. We are always mindful of the fact that police  
7 operations are only successful if we are considered  
8 honest and our programs have integrity. There is  
9 absolutely no way we could take a chance  
10 manipulating programs to reduce timing cycles. The  
11 goals are, once again, to reduce the crashes. If  
12 the system doesn't work or if the lights go on  
13 flashing red, the system shuts down and it doesn't  
14 take pictures.

15                   Public information and education and  
16 what we did to get the word out to the public in  
17 Washington, we developed brochures that explain the  
18 program and answered the commonly-asked questions  
19 explaining the technology, showing pictures like the  
20 ones I have previously shown. We made available  
21 comprehensive press kits and made those available at  
22 kick-off events as well as through my office on a  
23 regular basis; posted signs throughout the District  
24 saying that D.C. laws are photo-enforced; public  
25 service announcements have been disseminated. And,

1 as you can imagine, there was a lot of public  
2 interest in this program so it just received a lot  
3 of media and a lot of calls on that.

4 We posted information on our mpdc web  
5 site, mpdc.dc.gov, under safety tips and traffic  
6 safety. And this is another mechanism for the  
7 public, too, to give me recommendations for  
8 intersections that are dangerous in their  
9 neighborhoods where they've got red light  
10 violations.

11 We also commenced a 30-day warning  
12 period for our red light kickoff. And we have got  
13 ongoing community awareness. I talk regularly at  
14 public meetings throughout the city, at our advisory  
15 neighborhood commission meetings, and at events such  
16 as National Night-Out and any civil events that are  
17 happening.

18 Revenue versus public safety, and  
19 quoting Chief Charles Ramsey, our Chief of the  
20 Metropolitan Police: "The automated traffic  
21 enforcement program is designed to reduce moving  
22 violations in the District of Columbia and the  
23 accidents -- although we like to say crashes,  
24 because these red light violations aren't accidents,  
25 they're preventable, so they're crashes and not

1 accidents -- property damage and lost lives caused  
2 by these violations."

3           It is not an either/or debate. The  
4 systems are typically provided at no cost to the  
5 taxpayers. The start-up and operating costs as far  
6 as our program is concerned are collected by the  
7 violators. The district and industry are moving  
8 toward a fixed fee model, and that's been one of the  
9 contentions with a lot of the programs throughout  
10 the country. And, once again, I think we're all  
11 moving to do away with anything that would impede  
12 the integrity of these programs.

13           The systems provide public safety  
14 without devoting additional resources. As I  
15 mentioned, it is not always pragmatic for officers  
16 to be out there. With a lot of things, for  
17 instance, since September 11th we have got massive  
18 anthrax calls. I think we're doing over 200 a day  
19 in D.C. We have got a lot of guard details, special  
20 people deployed to the White House, Capitol and the  
21 Vice President's residence, so we have got a lot of  
22 other things going on.

23           It's also a force multiplier.  
24 Uniformed officers can concentrate on other  
25 priorities. And one of the big things for us, since

1 we receive a lot of scrutiny on our court time that  
2 officers spend, the officers aren't required to  
3 appear for adjudication hearings. And that's -- we  
4 usually take about two hours per traffic hearing  
5 that we spend time on right now, and that would be  
6 just a massive amount of time.

7 Another issue that many jurisdictions  
8 deal with are profiling. These cameras don't  
9 discriminate on the basis of sex, creed or religion.  
10 We're taking only pictures of violators and only the  
11 rear license plate of the violating vehicle.

12 As far as privacy issues go, drivers  
13 can't expect a legal right to privacy on the roads.  
14 Driving is a licensing privilege that takes place on  
15 a public roadway. As I mentioned, the system  
16 catches only the violators. We are not snapping  
17 every single car that goes by and putting their  
18 vehicle numbers into a database. If you don't break  
19 the law, you won't be photographed, no ticket will  
20 be issued. Sir?

21 CHAIRMAN GEIST: When you run that  
22 through your computer, the license plate number, if  
23 it's not registered, all that kind of stuff, it's a  
24 stolen plate, what do you do then? Does there have  
25 to be a primary offense? Can you go after somebody

1 based upon that photograph, or how do you guys do  
2 that?

3 MR. BURKE: Once again, it's only a  
4 rear photo. Now, if your car was stolen, we might  
5 -- let's say if a camera took a picture at New York  
6 Avenue and 4th Street NE, we might be able to use  
7 that to forward to the district. But the bottom  
8 line is the ticket is not going to you. We can  
9 knock that out, because we do realize that the  
10 automobile was stolen.

11 CHAIRMAN GEIST: I'm just worried  
12 about picking up other violations.

13 MR. BURKE: No, we're only picking up  
14 the red light violation.

15 CHAIRMAN GEIST: There's no  
16 crosschecking with the Department of Motor Vehicles?

17 MR. BURKE: No.

18 CHAIRMAN GEIST: Okay.

19 MR. BURKE: Also as I mentioned, it's  
20 a non-pointable and non-reported on the driver's  
21 record. And, once again, we've shown that even with  
22 the register on liability, we are achieving  
23 substantial reductions so that has been effective.  
24 We've also got the full ability to adjudicate the  
25 citation and view the evidence. So you are not

1 denied the right to a hearing. You've still got the  
2 same rights.

3 That's a quick overview of the  
4 program. And just one last thing that I will  
5 mention, the reason that we're so passionate about  
6 this and working in the traffic enforcement field,  
7 we have done a lot of things over the years. And I  
8 think we've done some good jobs in stigmatizing  
9 crimes such as drunk driving and done a lot better  
10 with child safety seats and the use of seat belts.  
11 However, in the area of red light enforcement, I  
12 think, you know, once again, we are just paying lip  
13 service to it. And traditional enforcement  
14 approaches alone aren't going to do it.

15 So we have got a responsibility to  
16 answer to our public and do something serious about  
17 reducing the crashes at the intersections, and I  
18 think that our numbers show that that's the  
19 objective that we are achieving.

20 Thank you, Chairman, members. I would  
21 be happy to answer any other questions.

22 REPRESENTATIVE McCALL: I have a  
23 couple questions. In your testimony you said  
24 260,000 tickets were issued, \$75. If my math is  
25 correct, that's \$19.5 million. Does that entire



1     \$19.5 million go into your general fund or is that  
2     shared with -- maybe I should ask this first  
3     question first.

4                     What does it cost per intersection for  
5     those cameras and strips?

6                     MR. BURKE: It depends on the  
7     intersection. It's roughly about \$100,000 per  
8     intersection.

9                     REPRESENTATIVE McCALL: Who pays for  
10    that?

11                    MR. BURKE: That's all incurred by the  
12    contractor.

13                    REPRESENTATIVE McCALL: The contractor  
14    picks up that whole \$100,000 bill, that tab?

15                    MR. BURKE: Right, although we do work  
16    in concert with them on things such as permitting  
17    issues with our Department of Transportation,  
18    Department of Public Works.

19                    REPRESENTATIVE McCALL: Does the  
20    contractor get a piece of the revenue, so to speak,  
21    from the violations?

22                    MR. BURKE: Under our current system,  
23    they do. However, as I mentioned, most agencies,  
24    such as the Metropolitan Police Department, we are  
25    working toward a fixed fee structure.

1                   REPRESENTATIVE McCALL: But right now  
2 for every ticket written, does that contractor  
3 get --

4                   MR. BURKE: For every paid citation,  
5 yes.

6                   REPRESENTATIVE McCALL: So there's no  
7 disincentive really; the more tickets that are  
8 written, the more money the contractor makes and  
9 puts in that --

10                  MR. BURKE: That's correct. And  
11 that's one of the reasons, once again, it's a public  
12 perception issue. And I think most jurisdictions  
13 already have a fixed fee contract, which just shows  
14 that there is none and we're basing it on, once  
15 again, our fatalities and crashes. It just gives  
16 the public perception that there is no attempt to  
17 make -- you know, write additional tickets.

18                  REPRESENTATIVE McCALL: Are you  
19 familiar with the court case that was adjudicated in  
20 San Diego where about 300 plus tickets were thrown  
21 out?

22                  MR. BURKE: Yes, I am.

23                  REPRESENTATIVE McCALL: Was there any  
24 kind of a challenge in the District?

25                  MR. BURKE: Absolutely not. It's a

1 different system. And, you know, through the case  
2 the judge ruled it was a constitutional system.  
3 There were no issues with the rights to privacy or  
4 anything else. I think more of the lapses that San  
5 Diego had dealt with police oversight of the  
6 program. And that's why, once again, for the public  
7 integrity it's important to have police oversight  
8 reviewing those tickets before they are mailed out  
9 and making sure the police are involved in making  
10 those decisions on deployment and every step of the  
11 way. It's got to be the police department's  
12 program.

13 REPRESENTATIVE McCALL: And that's  
14 part of your program. That was one of my other  
15 questions. The police officer has the final say on  
16 the ticket issuance?

17 MR. BURKE: Yes.

18 REPRESENTATIVE McCALL: What about the  
19 calibration of the lights? You say that you meet or  
20 exceed the national standard of 3.9 seconds. Are  
21 those lights calibrated on a regular basis, meaning  
22 the traffic light itself? How often are they  
23 calibrated to ensure they are at that standard? How  
24 often are they checked or is it necessary to check  
25 them?

1 MR. BURKE: I don't believe it's  
2 necessary for their time according to our DOT  
3 through the speed at those intersections, but it is  
4 important not to manipulate any timing before. Once  
5 again, we have made no changes to the light timing  
6 phases.

7 REPRESENTATIVE McCALL: Does your  
8 system take a picture of the yellow light before the  
9 car traverses through the intersection?

10 MR. BURKE: No. It is in accordance  
11 with the law. The light has to be red.

12 REPRESENTATIVE McCALL: What I'm  
13 saying is does your camera system record the light,  
14 the actual light changing from yellow to red in the  
15 photo with the license?

16 MR. BURKE: No.

17 REPRESENTATIVE McCALL: It does not.  
18 So what recourse does a driver have who says, show  
19 me my car going through that intersection. You have  
20 a picture of my license but you're not taking a  
21 picture of the actual red light?

22 MR. BURKE: Once again, we have two  
23 pictures; one of the vehicle entering the  
24 intersection at the red light and then the vehicle  
25 in the intersection on the red light. So it's

1 really cut and dry.

2 REPRESENTATIVE McCALL: Very good. No  
3 more questions.

4 REPRESENTATIVE KENNEY: Representative  
5 Harper.

6 REPRESENTATIVE HARPER: Thank you.  
7 The law in Washington presumes that the registered  
8 owner was driving the car, correct?

9 MR. BURKE: Yes.

10 REPRESENTATIVE HARPER: And the  
11 officer doesn't have to appear if there is no proof  
12 otherwise, that that person gets the violation.  
13 What would happen if the family car goes through a  
14 red light and the registered owner is me, a mom, and  
15 I can prove that I was in Harrisburg on legislative  
16 business that day. Does the ticket still get issued  
17 to me?

18 MR. BURKE: Unless you can show  
19 someone else was driving the vehicle, yes. It's  
20 your responsibility as the owner of that vehicle.

21 REPRESENTATIVE HARPER: So I would  
22 have to turn in somebody else, presumably a teenage  
23 driver or a spouse?

24 MR. BURKE: Once again, they are not  
25 being issued points. So it may be an issue. I am

1 sure you would be interested in knowing if your  
2 16-year-old son was running a red light. That might  
3 be a ramification that he pay. At least you know  
4 about the violation that happened.

5 REPRESENTATIVE HARPER: But,  
6 otherwise, the registered owner would pay a fine?

7 MR. BURKE: That's correct.

8 REPRESENTATIVE KENNEY: Representative  
9 Watson.

10 REPRESENTATIVE WASHINGTON: I have a  
11 question. One of the things that happened in  
12 Philadelphia a lot, that if there's two lanes of  
13 traffic, young kids tend to come up and develop a  
14 third lane as they rapidly approach the red light.  
15 That third lane, say a parking lane, would that also  
16 be seen in this camera?

17 MR. BURKE: If there's an embedded  
18 strip in that lane. Even if it's four lanes wide,  
19 you could identify the vehicle.

20 REPRESENTATIVE WASHINGTON: Thank you.

21 REPRESENTATIVE KENNEY: Representative  
22 Roberts.

23 REPRESENTATIVE ROBERTS: Thank you,  
24 Mr. Chairman. When you set up a camera at an  
25 intersection, do you issue a certain amount of

1 warning tickets or do you just immediately start  
2 issuing citations?

3 MR. BURKE: When we commence the  
4 program, we usually have a 30-day warning program.  
5 However, we will expand to additional intersections.  
6 And some of the intersections where we have had our  
7 greatest decreases we'll start to roll, to move  
8 around from one location to another. However, when  
9 we implement the cameras at new intersections, we'll  
10 issue notices of infractions right away. We will  
11 put it on our web site and notify the public.  
12 However, we won't commence another 30-day warning  
13 period for every single location.

14 REPRESENTATIVE ROBERTS: Thank you.

15 REPRESENTATIVE KENNEY: Representative  
16 Leh.

17 REPRESENTATIVE LEH: Yes. Thank you,  
18 Mr. Chairman.

19 Lieutenant Burke, what are some of the  
20 criteria specifics when you assign what intersection  
21 would warrant one of these cameras and not an  
22 intersection somewhere else that wouldn't, other  
23 than just a big accident area as opposed to an area  
24 that maybe doesn't have as many accidents? Are  
25 there certain specifics that you look for, that when

1     you get those specifics, that actually dictates the  
2     use of the camera?

3                   MR. BURKE:   Really, the priorities for  
4     me, my job is to reduce the number of injuries,  
5     collisions and fatalities in the District of  
6     Columbia.  So I'm looking at information I receive  
7     from the insurance companies, from our traffic  
8     analysis reporting system, and really identifying  
9     where we have had the greatest propensity for red  
10    light fatalities and crashes.  And then I guess  
11    tertiary or getting on down the line, I look at  
12    things such as council complaints where they're  
13    having problems with intersections, and we will do  
14    site surveys and go out and look to see how severe  
15    the problem is.

16                   REPRESENTATIVE LEH:  When it is  
17    decided that an intersection shall have a camera on  
18    site, in Washington does the City Council vote on  
19    that?  In my borough putting a stop sign, the  
20    Borough Council has to take a vote.

21                   MR. BURKE:  No.  In this case, when  
22    the D.C. City Council passed the laws in 1996, they  
23    are all encompassing.  So we could use additional  
24    applications of the technology without going to the  
25    City Council every time we wanted to expand the



1 program, increase deployment, or engage in any other  
2 measures; although we did have to first testify in  
3 front of the City Council on the success of the  
4 program and any questions they had just two weeks  
5 ago.

6 REPRESENTATIVE LEH: Thank you,  
7 Lieutenant. Thank you, Mr. Chairman.

8 REPRESENTATIVE KENNEY: I think you  
9 may have answered this question. You talked about  
10 the issue of fairness. Was this Washington D.C. red  
11 light camera legislation ever challenged in court  
12 because of the issue of privacy?

13 MR. BURKE: No. There have been some  
14 media articles, especially in Washington, D.C. with  
15 a Congressman basically a little back and forth  
16 going back on that. I think privacy was the  
17 underlying issue with that. And we haven't had any  
18 successful court challenges.

19 REPRESENTATIVE KENNEY: Public safety  
20 has been a priority. In your testimony you mention  
21 the reduction in the number of red light runners at  
22 these intersections. You also mention the reduction  
23 in the traffic fatalities attributed to red light  
24 running. Do you have statistics on reduction in  
25 crashes?

1 MR. BURKE: Our system, which is  
2 maintained by the Department of Transportation,  
3 isn't up-to-date, but we are anxiously awaiting that  
4 information.

5 REPRESENTATIVE KENNEY: Could you  
6 provide that when you get that?

7 MR. BURKE: Absolutely. And that is  
8 something our City Council is very interested in.

9 REPRESENTATIVE KENNEY: Thank you.  
10 Representative Geist.

11 CHAIRMAN GEIST: What percentage of  
12 the folks who are ticketed are non-residents of the  
13 District of Columbia?

14 MR. BURKE: With the photo red light  
15 program, the last numbers I looked at was 46 percent  
16 of the violators were from Maryland, 26 percent from  
17 Virginia, 21 percent from D.C.

18 CHAIRMAN GEIST: Do you share any of  
19 that revenue with those states then?

20 MR. BURKE: No, sir. And, likewise,  
21 with their photo enforcement programs, they don't.

22 CHAIRMAN GEIST: That was my next  
23 question. Thank you.

24 MR. BURKE: Thank you.

25 REPRESENTATIVE KENNEY: Thank you very

1 much, Mr. Burke.

2 Now I am going to jump out of order.  
3 Councilman Kenney and Councilwoman Brown, do you  
4 want to come forward.

5 MR. KENNEY: Thank you very much. My  
6 name is Councilman James Kenney. I want to thank  
7 Majority Chairman Geist and Chairman McCall,  
8 Representative Kenney and the members of this  
9 Committee for the opportunity to testify before you  
10 today.

11 Further, I want to specifically thank  
12 you for holding this hearing here in Philadelphia,  
13 where a large part of the problem is that you are  
14 trying to address. You and your colleagues have  
15 consistently shown leadership in addressing our  
16 city's public safety issues, and I am especially  
17 grateful to you for your work and involvement  
18 regarding reducing violence in our schools and even  
19 bringing Commissioner Timmoney here to Philadelphia,  
20 and all the many other issues.

21 Perhaps it may appear lately that  
22 Philadelphians don't respect our legislators in  
23 Harrisburg very much. However, I believe I speak  
24 for many on City Council and the vast majority of  
25 Philadelphians when I say that we truly do

1 appreciate all that you have done to help our city  
2 survive. Projects like our convention center,  
3 performing arts center, new stadiums, art capital  
4 projects, the general dollars appropriated by the  
5 Commonwealth for our needs are further evidence of  
6 the importance of maintaining a positive and dynamic  
7 relationship with our representatives in Harrisburg.

8 We know that even though your first  
9 responsibility is to your district and to our  
10 Commonwealth, you have consistently helped our city  
11 in many different and often unknown ways. I look  
12 forward to working with you even more closely in the  
13 future.

14 Unfortunately, far too rarely do  
15 elected officials have the opportunity to  
16 immediately impact the safety and public well being  
17 of their constituents. Today you have just such an  
18 opportunity, and so I urge you to pass or recommend  
19 to this Committee for passage House Bill 1572 to  
20 allow cities like Philadelphia to install cameras  
21 that can photograph the cars of drivers if they run  
22 our red lights or disregard our traffic laws.

23 Philadelphia's streets are  
24 frighteningly unsafe, and something must be done.  
25 As an elected official that represents every

1 neighborhood of this city, I am saddened to see how  
2 often some Philadelphians flaunt our most basic  
3 traffic laws.

4 As I leave my office every day, right  
5 outside this building, I see dozens of cars running  
6 red lights that surround City Hall putting  
7 pedestrians and other drivers in immediate danger.  
8 As I drive home to south Philadelphia, I see drivers  
9 making illegal turns, pull into intersections, chase  
10 pedestrians out of crosswalks and cut off other  
11 drives in reckless ways.

12 Running red lights is a particularly  
13 problematic issue. Our police department tells us  
14 that red light runners killed 16 people in our city  
15 last year, injured 4,782 other people, and caused  
16 3,300 crashes. Red light running is apparently the  
17 leading cause of traffic accidents in Philadelphia.  
18 Clearly, something must be done.

19 Of all our responsibilities -- I don't  
20 have to tell you -- public safety is clearly our  
21 most important. But our municipal resources here in  
22 Philadelphia are severely overextended as it is.  
23 And in the wake of 9/11, it makes even less sense  
24 now to post a police officer at every traffic light  
25 to force these reckless drivers to comply with our

1 laws.

2           The use of modern technology like  
3 these proposed surveillance cameras is a  
4 common-sense solution to the problem. That's why  
5 these red light cameras are used in 46 cities across  
6 the country, including New York, Los Angeles and, as  
7 we heard, Washington, D.C., where they've reduced  
8 red light accidents by more than 50 percent.

9           These cameras also more than pay for  
10 themselves for additional general fund revenue. In  
11 New York City, for example, fines have brought in  
12 between \$8 and \$9 million yearly. These are  
13 badly-needed funds that could be used towards  
14 improving our schools or constructing safer streets  
15 and intersections.

16           Passing House Bill 1572 would allow  
17 municipalities like Philadelphia to create our own  
18 ordinance to mail citations and levy fines for those  
19 photographed going through a red light. I believe  
20 the time is now for Philadelphia to join the 21st  
21 Century and finally utilize the latest technologies  
22 to enforce our laws.

23           This is thus an important first step  
24 towards restoring law and order on our streets, and  
25 I urge you and your colleagues to strongly consider

1 passing this bill.

2           Additionally, based on today's  
3 comments from Majority Leader John Perzel, you may  
4 be taking steps to force us to enforce our laws  
5 dealing with citywide drivers who are unlicensed,  
6 unregistered and therefore uninsured. This is an  
7 amazing problem in our city. It is estimated that  
8 anywhere from 50,000 people are in that condition  
9 driving on our streets. And I would argue that the  
10 majority of those people, or at least a lot of them,  
11 are doing this kind of activity by running red  
12 lights, violating traffic laws, because they've  
13 flaunted every other law and financial  
14 responsibility which is required by the  
15 Commonwealth.

16           I don't believe it is a right to drive  
17 a car in Pennsylvania. I believe it is a privilege.  
18 That privilege is given to us with certain financial  
19 and other licensing responsibilities required. We  
20 have attempted and have gotten cooperation from the  
21 legislature in the past to enable a pilot program in  
22 Philadelphia which has taken thousands of cars off  
23 the street of unregistered and unlicensed drivers.

24           And if you could force the city and  
25 this administration to do this citywide, I think we

1 would have a much safer city and a much likelier  
2 opportunity to reduce our insurance rates here in  
3 Philadelphia and Pennsylvania, which is one of the  
4 leading reasons why people leave the city and move  
5 to the suburbs.

6 Thank you for having us here today.  
7 Thank you for being in Philadelphia. And any  
8 questions you may have for my colleague who is going  
9 next or for me, I would be happy to answer them.

10 REPRESENTATIVE KENNEY: Councilman  
11 Brown, why don't you go next and then we can ask  
12 questions.

13 MS. BROWN: Very well. Thank you very  
14 much.

15 Good afternoon, Representative Geist,  
16 Representative McCall and the honorable members of  
17 the Committee on Transportation, and let me say a  
18 special hello to the Philadelphia representatives,  
19 Representative Kenney and Representative Washington.

20 I must admit when I first learned of  
21 cameras at red lights I was bit skeptical. Visions  
22 of big brother watching over me and/or citizens of  
23 our city at every intersection was not a move I  
24 thought would be in the best interest of the  
25 citizens of this city. Then, of course, as of most



1 things we look at with some level of skepticism, you  
2 have to do the homework.

3 I have learned that in Philadelphia,  
4 we average one death every six weeks due to drivers  
5 running red lights. And in the year 2000, red light  
6 runners caused 3,310 crashes, which caused 4,782  
7 injuries and 16 deaths. I learned that in cities  
8 across our country on average, red light running  
9 violations dropped over 40 percent after photo  
10 enforcement was introduced in that area.

11 Further, I learned that the cameras  
12 proposed in this program are triggered only when a  
13 vehicle enters an intersection on a red light and  
14 will not be continuously running in a big brother  
15 fashion.

16 In a perfect world, we would not need  
17 cameras to watch and deter people from running  
18 lights. However, I have come to the conclusion that  
19 if a camera that is taking a snapshot of someone who  
20 is breaking the law will save lives and diminish  
21 injuries, then it is something we need to consider.

22 As public officials, we must do what  
23 we can to ensure the safety of the city.

24 Implementing a red light photo system in  
25 Philadelphia, if implemented responsibly, is an

1 initiative I believe can make a difference.

2 Finally, and most importantly, let me  
3 say underscored and capital letters, let's make sure  
4 that it is instituted fairly and judicially and for  
5 the specific purpose intended.

6 Thank you very, very much.

7 REPRESENTATIVE KENNEY: Thank you very  
8 much for your work in Philadelphia, and I think we  
9 are going to need your help in the next few months  
10 to see this legislation move forward. So we're  
11 going to probably call on you again. Thank you for  
12 your work.

13 MR. KENNEY: Thank you very much.

14 REPRESENTATIVE KENNEY: Mr. Savage.

15 Lynwood Savage, Administrative  
16 Assistant to Sheriff John Green.

17 MR. SAVAGE: Good afternoon,  
18 distinguished guests and friends. My name is  
19 Lynwood Savage, and I am the Chief Administrative  
20 Assistant to Sheriff John Green. And I am here  
21 today to read his testimony.

22 Prior to being elected to the position  
23 of Sheriff in Philadelphia in 1987, I was employed  
24 by the city of Philadelphia with the police  
25 department. Before retiring, I was assigned to

1 various positions within the department and worked  
2 in many areas throughout this city.

3 As you are aware, patrol is a major  
4 part of a police officer's job. Patrol cars are  
5 responsible for the integrity and the citizenry  
6 which they serve. A significant area of  
7 responsibility for a patrol officer is traffic  
8 enforcement from car stops, with one of the most  
9 common causes a police officer has for stopping a  
10 car is speeding, as well as disobeying of stop signs  
11 and traffic signals.

12 Although officers stop many cars daily  
13 for this reason, there are many more that go  
14 unnoticed as a result of the absence of authority.  
15 It is usually during this absence when tragedy  
16 occurs.

17 With the influx of motor vehicles on  
18 our streets, roads and highways, it is most likely  
19 that traffic congestion will occur, creating for the  
20 driver a belief that there's a need for a hurried  
21 state.

22 Most drivers are obedient and safety  
23 conscience, complying with the rules of the road and  
24 allowing adequate amounts of time to reach their  
25 destination. However, the few that do not allow

1 these laws make it unsafe for the hundreds of  
2 thousands that do.

3 I believe for the well-being and  
4 protection of those individuals who practice and  
5 abide by the rules and regulations of driving, the  
6 placing of cameras and other safety devices over  
7 traffic lights in the city of Philadelphia will  
8 prove to be an added safety mechanism, and for those  
9 drivers in which rules are secondary, a major  
10 deterrent.

11 We thank you for your time in allowing  
12 us to express our opinion. Thank you.

13 REPRESENTATIVE KENNEY: Thank you, Mr.  
14 Savage. Thank Sheriff Green for his comments. We  
15 appreciate it.

16 Next we have Cathy Chase, Director of  
17 State Affairs, Advocates for Highway and Auto  
18 Safety; and Dr. Peter Lane and Anthony Wisdo.

19 MS. CHASE: Mr. Chairman --

20 REPRESENTATIVE KENNEY: I see we have  
21 written testimony.

22 MS. CHASE: Dr. Lane has to leave.  
23 Would it be all right if he testified before me?

24 REPRESENTATIVE KENNEY: Absolutely.

25 MS. CHASE: Thank you.

1                   MR. LANE: Thank you very much. I  
2 think you have my testimony as well.

3                   Good afternoon, Mr. Chairman and  
4 members of the Committee. My name is Peter Lane,  
5 and I'm the Director of Clinical Research in the  
6 Department of Emergency Medicine at Albert Einstein  
7 Medical Center here in Philadelphia. I have been an  
8 emergency physician for 20 years. All of my career  
9 I have been involved in research with respect to  
10 trauma care and injury prevention. I have had the  
11 opportunity to serve as an Executive Member with the  
12 Association for the Advancement of Automotive  
13 Medicine, and currently serve as a member of the  
14 Trauma Care and Injury Control Committee of the  
15 American College of Emergency Physicians.

16                   But first and foremost, I'm a doctor,  
17 a doctor who takes care of ill and injured patients  
18 in my emergency department. A few weeks ago, medics  
19 brought in an eight-year-old girl named Tiffany who  
20 was involved in a crash. She was in a minivan that  
21 was broadsided at an intersection by a driver who  
22 went through a red light.

23                   The SUV that struck her van was not  
24 speeding, and the driver was not drunk. There was  
25 major intrusion into the passenger compartment.

1 Tiffany and the other occupants were properly  
2 restrained. This little girl suffered a fractured  
3 pelvis and a massive head injury.

4 Many medics, emergency nurses,  
5 emergency physicians, surgeons and other critical  
6 care personnel worked long and hard, as others now  
7 continue to work hard, to give Tiffany the best  
8 possible outcomes after these injuries. However,  
9 she will never be the same, and her parents' lives  
10 have also changed forever.

11 This didn't need to happen, yet these  
12 kinds of crashes with these kinds of injuries are  
13 happening every day throughout the Commonwealth and  
14 throughout this country. As a medical community,  
15 all we can do is to pick up the pieces and to help  
16 families with their grief.

17 I'm here to support our state  
18 authorizing the use of red light cameras. Over the  
19 years, I have treated thousands of patients who have  
20 suffered serious injuries from intersection crashes  
21 where a driver ignores a red light.

22 This is a particularly dangerous crash  
23 configuration. Seat belts and crumple zones in  
24 vehicles simply don't protect occupants. Side air  
25 bags are of limited help. The occupant is subjected

1 to the full force of a 2000-pound vehicle traveling  
2 at speed when it strikes. There is simply no  
3 protection. The resulting force causes devastating  
4 and debilitating brain injuries, neck and spinal  
5 cord injuries, lateral crush injuries to the ribs,  
6 to the lungs, and shearing of abdominal organs such  
7 as liver and spleen, and finally major pelvic and  
8 lower limb fractures. Many of these victims are  
9 either killed or permanently disabled from these  
10 injuries.

11                   Nationwide, an estimated 260,000  
12 crashes are caused by red light runners each year.  
13 Approximately 100,000 of these result in injuries  
14 that necessitate an emergency department visit.  
15 Estimates are between 750 and 950 of these are  
16 fatal. These rates are on the rise. While many  
17 other crash injury statistics are improving, red  
18 light running crash fatalities increased 18 percent  
19 between 1992 and 1998. It is estimated that the  
20 costs of these crashes exceed \$7 billion a year.

21                   I was interested to learn that,  
22 according to a survey by the U.S. Department of  
23 Transportation and the American Trauma Society, 63  
24 percent of Americans see someone running a red light  
25 at least a few times a week and many once a day.

1 The Insurance Institute for Highway Safety found  
2 that at an intersection in Virginia, a motorist ran  
3 a red light every 12 minutes. During peak commuting  
4 times, a motorist ran a red light every 5 minutes.  
5 And I would say that those statistics are probably  
6 quite true in Philadelphia and the Commonwealth.

7 Red light cameras are preventative  
8 medicine. Once in place, they have reduced red  
9 light running and the crashes, injuries and deaths  
10 that result. Significant citywide crash reductions  
11 have followed the red light camera introductions in  
12 Oxnard, California; Fairfax, Virginia; San  
13 Francisco; and Charlotte, North Carolina to name a  
14 few.

15 In the injury control field, we speak  
16 of the four "E's" of prevention; education,  
17 enforcement, engineering and economics. Most  
18 preventative measures fall into one or more of these  
19 categories. Of the four, there's no doubt education  
20 is definitely the least effective. I can count for  
21 you on the fingers of one hand the number of  
22 educational interventions that have been shown to  
23 actually change behaviors that result in reduced  
24 injuries and deaths as a result of motor vehicle  
25 crashes.



1                   Engineering solutions, however, are  
2 highly effective. I think you only need to consider  
3 the improvements in vehicle design and highway  
4 design over the past few decades to see those  
5 results.

6                   Increased enforcement is often  
7 difficult and costly. Witness the difficulty of  
8 keeping drunk drivers off the road today.

9                   Economic incentives do work, and the  
10 economic impact of all measures needs to be taken  
11 into consideration. In this context, red light  
12 cameras are inexpensive; one of their major  
13 criticisms being they generate revenue.

14                   In addition, red light cameras are  
15 effective enforcement tools that can be applied  
16 evenly and consistently without issues of bias,  
17 profiling, officer training and motivation that  
18 hinder other interventions. As a significant added  
19 benefit, red light cameras free up law enforcement  
20 personnel to respond to other emergencies in our  
21 communities and enforce other laws.

22                   Finally, I just would like to say that  
23 over the past number of years I have served as a  
24 consultant to the World Bank regarding trauma and  
25 emergency services in many developing countries.

1 And a few years ago, on such a project in Brazil,  
2 one of our recommendations was, in fact, the  
3 institution of red light cameras at the  
4 intersections of their major cities. And that  
5 recommendation has been implemented.

6 And in your packets I have given you  
7 three of the photos that those cameras take. Now,  
8 that is a slightly different technology that is  
9 currently available in the United States, but it's  
10 very similar. And I present those to you for a few  
11 reasons. They show you, I think, in rather horrific  
12 detail the impact captured by these cameras. There  
13 are three different crashes that I'm showing you,  
14 and in them you can clearly see the crash as it's  
15 happening, the injuries as they are being caused.  
16 You can see the red light, but there's no doubt that  
17 this is a violation.

18 You can also, I think, appreciate from  
19 just looking at the dynamics of these crashes that  
20 the passengers, one of them a small child looking  
21 out the window at the red car, passengers have  
22 absolutely no protection in this crash  
23 configuration, none whatsoever.

24 I thought those would be useful to  
25 give us an idea of what we are talking about in some

1 fairly human terms.

2 In conclusion, I think red light  
3 running is causing a major health crisis in our  
4 country. And I look at it as a health crisis. Red  
5 light cameras are effective enforcement tools at  
6 essentially no cost to the public. The introduction  
7 of these cameras has the potential to save a  
8 significant number of lives and prevent many  
9 devastating and debilitating injuries. From my  
10 perspective, this is many times more effective than  
11 just about any clinical innovation to come along in  
12 medicine in many decades.

13 I urge you to pass this legislation.  
14 Thank you very much.

15 REPRESENTATIVE KENNEY: Thank you,  
16 Doctor.

17 MS. CHASE: Good afternoon, Mr.  
18 Chairman and members of the Committee. I'm Cathy  
19 Chase, Director of State Affairs for Advocates for  
20 Highway and Auto Safety. I have submitted written  
21 remarks, and I am going to try to be brief and not  
22 cover what everyone else has already said.

23 I want to tell you a little bit about  
24 our group. Advocates is a nonprofit organization,  
25 and we work both on the state and federal level to

1 try to get highway safety laws passed around the  
2 country. We are a unique organization because we  
3 are an alliance of consumer, health, safety and law  
4 enforcement groups and insurance companies and trade  
5 associations. I'm here to speak today in support of  
6 red light cameras on behalf of our board members and  
7 on behalf of the hundreds of victims of red light  
8 runners with whom we work.

9 I recently received a letter from Ms.  
10 Kathy Clinger-Smith from Erie who calls herself a  
11 victim of this crime. And I do want to stress that  
12 it is a crime. She suffers from whiplash where her  
13 spinal cord connects to the stem of her brain. She  
14 has headaches and constant neck and shoulder pain,  
15 and her car was almost totaled. Yet, she wrote to  
16 me that she feels lucky because she had just dropped  
17 off her 10-year-old son at school. And she believed  
18 that had he been in the car, he would have been  
19 seriously injured.

20 Unfortunately, there are many Kathy  
21 Clinger-Smiths in Pennsylvania, and many were not as  
22 lucky as she.

23 You have already heard the statistics  
24 about the number of people who have been killed.  
25 But I just urge you to remember, we are not talking

1 about statistics, we're talking about people. And  
2 it would be analogous to everyone in this room being  
3 killed in one year in Pennsylvania, just to give  
4 some context to what we are talking about.

5 I agree with Dr. Lane that red light  
6 running is a major health crisis. From the  
7 beginning of the 1990s to the end, fatal motor  
8 vehicle crashes at traffic signals have increased an  
9 alarming 24 percent, and we need something to  
10 address this problem.

11 In a national survey by the American  
12 Trauma Society, one out of every three Americans  
13 knows someone who has been injured or killed because  
14 of a red light violation. And I would guess that  
15 everyone in the room -- I would guess the same would  
16 be true in this room, and throughout Philadelphia,  
17 Pittsburgh, Lancaster and all of Pennsylvania.

18 Simply put, red light cameras address  
19 this problem. Throughout the country, the use of  
20 cameras have reduced red light running violations,  
21 thereby preventing death and injury and saving  
22 taxpayers money.

23 And the most recent study on this  
24 issue in Oxnard, California, the Insurance Institute  
25 for Highway Safety found significant citywide crash

1 reductions. Front-into-side crashes, the crashes  
2 most associated with red light running, were reduced  
3 by 32 percent. And as you heard Lieutenant Burke  
4 say, in D.C. the number of people killed in red  
5 light running crashes went from 16 to 2, which is a  
6 substantial reduction.

7 Not only do these cameras work, but  
8 the American public supports them. Three recent Lou  
9 Harris public opinion polls commissioned by our  
10 organization all found that two-thirds of the public  
11 support state adoption of red light camera laws. A  
12 recent Insurance Research Council poll revealed the  
13 same level of support. And, additionally, an April  
14 2001 survey of ten cities by the Insurance Institute  
15 found favorable opinions about red light camera use  
16 exceeded 70 percent in communities both that have  
17 these in place and those that don't. In fact, in  
18 the communities where the cameras are in place,  
19 support has risen. So it shows that not only do the  
20 people want these cameras, but they appreciate them  
21 even more when they are in place and they see that  
22 their roads are becoming safer.

23 Before concluding my remarks, I would  
24 just like to address, succinctly address if I can,  
25 some of the arguments that have been in opposition

1 to use of these cameras.

2 Frequently, the debate has seemed to  
3 boil down to misinterpreted constitutional rights  
4 versus public safety. The arguments about privacy  
5 and constitutionality are specious in our opinion,  
6 because the Constitution only gives us a reasonable  
7 expectation of privacy. And this reasonable  
8 expectation simply does not apply to public roads.

9 Moreover, the systems have been set up  
10 to minimize any potential appearance of invasion of  
11 privacy. They only take a picture of the exterior  
12 of the car and the license plate. They don't take a  
13 picture of Mr. Jones and whoever he may be driving  
14 with or Mrs. Smith who rolled out of bed to drive to  
15 aerobics class. We're not trying to get any entries  
16 for Candid Camera or the National Inquirer. We are  
17 trying to save lives.

18 In this respect, a photograph is less  
19 invasive, in fact, than a police officer pulling  
20 someone over, because the officer would see both the  
21 person and some of the car's interior.

22 Additionally, there's no possibility  
23 for concerns about profiling. Cameras take a  
24 picture of all violators. There's no subjectivity.  
25 All law breakers who cross an intersection after the

1 light turns red will receive a citation.

2 Another lost liberty, according to  
3 opponents, is the right to confront one's accuser.  
4 The right, which is embodied in the Sixth Amendment  
5 of our Constitution, has never been the right to  
6 confront an arresting officer nor someone issuing a  
7 ticket. This right is preserved in court, where all  
8 ticketed individuals can go if they want to  
9 challenge a ticket.

10 In conclusion, I would like to  
11 highlight that by obtaining a driver's license, an  
12 individual agrees to abide by certain rules, one of  
13 which is to obey traffic signals. And at a time  
14 when our law enforcement is already stretched thin  
15 to protect us, these cameras can assist  
16 supplementing the police forces' efforts to uphold  
17 our laws.

18 The purpose of cameras is to serve as  
19 a deterrent. And the ultimate goal is for  
20 communities using cameras to have no citations at  
21 all. Currently more than 50 communities ranging  
22 from Denver to New York City employ photo  
23 enforcement systems in the hope of achieving this  
24 goal.

25 Advocates for Highway and Auto Safety



1       urges you to pass this legislation and allow  
2       communities in Pennsylvania to decide whether they  
3       want to use this life-saving technology.

4                       Thank you.

5                       REPRESENTATIVE KENNEY: Thank you, Ms.  
6       Chase. Chairman Geist.

7                       CHAIRMAN GEIST: A couple questions.  
8       I don't want to debate the constitutionality of the  
9       protections that we have. We may have differences  
10      of opinion. But I do want to ask you some  
11      questions, both you and the doctor.

12                      How many of these communities dedicate  
13      a percentage of the monies collected for trauma,  
14      improving trauma response and improving treatment?

15                      MS. CHASE: I don't know the answer to  
16      that question, Mr. Chairman, but I would be glad to  
17      find out and get back to you.

18                      MR. LANE: From my understanding, they  
19      don't go to trauma care or hospitals. I'm not  
20      aware. I think it's a novel and very good  
21      suggestion that I'm in support with.

22                      CHAIRMAN GEIST: I agree with your  
23      argument. I thought it was a wonderful argument,  
24      because you were talking about saving lives, saving  
25      injuries. And this is a source of revenue that I

1 wouldn't think that any municipality would ever want  
2 to supplement their general fund by having a rolling  
3 tollbooth with a camera. Would you?

4 MR. LANE: Rolling tollbooth, I'm not  
5 sure I understand your point.

6 CHAIRMAN GEIST: If I have a robotic  
7 camera which is taking a photograph of a violator  
8 who is guilty, and there's nothing involved there  
9 other than the big brother government, and then  
10 those monies that are collected, that's not an  
11 overall tax. That's only a tax on the perpetrators.  
12 Are those monies dedicated then to doing good in the  
13 areas that were the cause, cause and effect? I  
14 think that's a serious question that we, in the  
15 General Assembly, have to address.

16 MR. LANE: All I can tell you is from  
17 my own involvement with the World Bank, that's in  
18 both Malaysia as well as in Brazil, we did recommend  
19 having the funds go to traffic safety. Not  
20 specifically to trauma care, but to traffic safety,  
21 so that they not only supported the photo radar, the  
22 red light cameras, but they also support traffic  
23 safety efforts and traffic safety promotion.

24 MS. CHASE: That's our position as  
25 well. We would support these funds being used to

1 improve highway safety and not being used for other  
2 reasons. I believe in the District that the program  
3 pays for itself, so it is thereby saving lives and  
4 preventing injuries.

5 CHAIRMAN GEIST: On this Committee, we  
6 feel that one life is unacceptable that is lost in  
7 any kind of traffic accident; whatever we can do to  
8 prevent, fix our roads, fix the high hazard  
9 intersections. And obviously here in Philadelphia,  
10 they have a terrible problem with high hazard  
11 intersections. So then the debate would go beyond  
12 that, saying that we do want to help fix the problem  
13 and prevent it in the future. And, hopefully, we  
14 will drive those incomes down to zero as people are  
15 educated.

16 So then you wouldn't have a source of  
17 funding that you are consistently required to have.  
18 So that next year you don't make the fine \$100  
19 because you're diminishing it by 25 percent; and the  
20 next year \$150 because you diminished it by another  
21 25 percent. And I don't think that that's what we  
22 are about. We are about safety.

23 And I believe that the General  
24 Assembly, if we bring this law out and if we pass  
25 it, then we have to take a serious look at where the

1 revenue goes and how the revenue is used.

2 REPRESENTATIVE KENNEY: Representative  
3 McCall.

4 REPRESENTATIVE McCALL: Thank you, Mr.  
5 Chairman. Question to Ms. Chase. I guess the  
6 question that -- I noticed that your organization is  
7 based out of Washington, D.C., and there are a lot  
8 of privacy advocates out there who have raised many  
9 concerns about this legislation. And I was just  
10 wondering, was there anything on the federal level  
11 as far as Congress is concerned that would either  
12 prohibit the states from implementing something like  
13 this or place restrictions on the states? And if  
14 there isn't anything on that side, is there any  
15 money maybe on the federal highway safety side where  
16 we could get dollars to actually implement these  
17 programs?

18 MS. CHASE: To my knowledge, there is  
19 no congressional regulation or law that -- federal  
20 law that would prohibit any red light cameras, since  
21 there are cameras in place throughout the country.  
22 It would be very surprising. And it is also our  
23 understanding that there are dollars from the  
24 Federal Highway Administration that can be used to  
25 supplement this red light use.

1                   REPRESENTATIVE McCALL: So you are  
2 aware that they are no attempts then at this point  
3 to prohibit this as far as you know?

4                   MS. CHASE: Yes, that's true. There  
5 was a hearing this summer at which the president of  
6 our organization testified. And the issues were  
7 discussed, but there has been no congressional  
8 action taken as far as we know.

9                   REPRESENTATIVE McCALL: Very good.  
10 Thank you.

11                   REPRESENTATIVE KENNEY: Thank you for  
12 your testimony.

13                   MS. CHASE: Thank you.

14                   MR. LANE: Thank you.

15                   REPRESENTATIVE KENNEY: Richard  
16 Retting, Sr., Transportation Engineer, Insurance  
17 Institute for Highway Safety.

18                   Mr. Retting, welcome.

19                   MR. RETTING: Good afternoon, Mr.  
20 Chairman, members of the Committee. I will be very  
21 brief.

22                   The Insurance Institute for Highway  
23 Safety is a nonprofit organization that identifies  
24 ways to reduce motor vehicle crashes and their  
25 losses. I should mention that I'm also a former

1 safety director for the city of New York going back  
2 a number of years, back when the red light camera  
3 program was being developed there.

4 The Insurance Institute is pleased to  
5 provide testimony before this Committee regarding  
6 red light running and use of law enforcement  
7 technology to reduce the problem. Unfortunately,  
8 you will see a redundancy throughout some of these  
9 testimonies, because the issue is so crystal clear.  
10 And, unfortunately, you will find you get some  
11 repetition.

12 The deliberate running of red lights  
13 is a common and serious violation. Compared with  
14 all other types of urban crashes, those involving  
15 signal violations are the most likely to cause  
16 injuries. Institute research has found that running  
17 red lights and other traffic controls is the most  
18 common cause of urban crashes.

19 On a national basis, drivers that run  
20 red lights are responsible for an estimated 260,000  
21 crashes each year, of which about 750 are fatal,  
22 causing 850 deaths. Our web site documents those  
23 numbers and also provides statistics for  
24 Pennsylvania and other states.

25 Red light cameras are effective at

1 modifying driver behaviors, since red light running  
2 is a driver behavior problem. But Institute  
3 evaluations of camera-enforcement programs that you  
4 heard a little bit about earlier in two cities,  
5 Oxnard, California and Fairfax, Virginia, found that  
6 violation rates decreased by about 40 percent during  
7 the first year of enforcement. So almost half the  
8 number of people who were running lights stopped  
9 within the first year.

10           Increases in driver compliance were  
11 not limited to the handful of intersections where  
12 cameras were placed, but there were very noticeable  
13 spillover effects. In fact, you could not  
14 distinguish reductions in red light running at  
15 intersections that had cameras and those nearby that  
16 did not have cameras. So, in fact, there was a  
17 general change in how drivers behaved throughout  
18 those cities when it came to red light running.

19           Follow-up research found significant  
20 citywide crash reduction following introduction of  
21 red light cameras. In Oxnard, injury crashes at  
22 intersections with traffic signals were reduced by  
23 29 percent after camera enforcement began in 1997.  
24 Side impact crashes were reduced by 32 percent.  
25 Side impact crashes involving injuries declined by

1 68 percent. And this was on a citywide basis of all  
2 intersections with traffic signals, even though only  
3 11 out of the 125 intersections were equipped with  
4 cameras. So, clearly, a small effort goes a long  
5 way.

6 It's important to emphasize the  
7 deterrent effect of red light cameras. The goal of  
8 highly publicizing enforcement is to deter drivers  
9 from breaking the law in the first place. Tickets  
10 are a secondary, but a necessary component.

11 I'll talk a little bit about privacy  
12 since that's an important issue in this setting.  
13 Photographing vehicles whose drivers run red lights  
14 does not violate anyone's protected privacy  
15 interest. The proposal law calls for cameras to  
16 record only the rear of vehicles, not occupants.  
17 Besides, driving is a regulated activity on public  
18 roads. And although the big brother issue is raised  
19 by some opponents of red light cameras, again not to  
20 be redundant, but public opinion surveys have  
21 clearly shown that 70 to 80 percent of the public  
22 supports red light camera use.

23 Some opponents of red light cameras  
24 have made the ridiculous claim that yellow signals  
25 are intentionally shortened at intersections with



1 red light cameras to increase the number of  
2 violators. They often cite a local television  
3 reporter discovered that intersections with red  
4 light cameras had shorter yellow times than nearby  
5 intersections.

6                   However, when we checked -- and I  
7 personally checked with the city traffic engineer in  
8 Beaverton -- we found out the following information:  
9 Beaverton has red light cameras at five  
10 intersections. Yellow times were reviewed and  
11 actually increased at two of the intersections and  
12 remained the same at the other three. So this kind  
13 of misinformation is harmful, and the facts must be  
14 stated clearly. Yellow timing is not reduced or  
15 shortened to increase the number of red light  
16 runners. There are enough out there. There is no  
17 need to generate any new ones.

18                   Red light cameras are in use in  
19 several U.S. cities, including New York, Los  
20 Angeles, Phoenix, San Francisco, Denver and  
21 Washington, D.C. The proposed law change before you  
22 would authorize the use of red light cameras in  
23 Pennsylvania communities. Potential violators would  
24 be deterred because they know the presence of  
25 cameras greatly increases the odds of getting a

1 ticket. The safety of Pennsylvania residents would  
2 be enhanced by enacting such a law.

3 I would be happy to answer questions  
4 that you might have. And one other thing, I heard  
5 in earlier testimony a question from one of you  
6 gentleman about the -- to the Director of the D.C.  
7 Police as to whether the camera records the yellow  
8 signal. In fact, red light cameras do record, if  
9 not a photograph of the yellow, they do record how  
10 long the yellow signal had been prior to the  
11 issuance of the red light ticket. So you could  
12 confirm through the ticket to the photograph that  
13 the yellow light was what it was supposed to be. Or  
14 if it wasn't, you would know.

15 REPRESENTATIVE KENNEY: In your  
16 opening paragraph, you are supported by the nation's  
17 automobile insurers?

18 MR. RETTING: Yes, sir.

19 REPRESENTATIVE KENNEY: Can't you make  
20 the call in -- Councilman Kenney was here earlier  
21 talking about there's a number of things we should  
22 be doing. The bottom line is how do we reduce auto  
23 insurance cost, the cost of auto insurance,  
24 especially in a city like Philadelphia. It is one  
25 of the reasons that people do leave the city.

1           Is there a correlation between you  
2 reduce the number of crashes -- are their studies  
3 out there that show that that should lead to a  
4 reduction in auto insurance?

5           MR. RETTING: Sir, I can't speak on  
6 behalf of the automobile insurance industry. We're  
7 a highway safety organization that they fund. I do  
8 know that the cost of insurance is affected and are  
9 highly correlated with the cost of doing business in  
10 communities. Crash losses are correlated directly  
11 with the cost of insuring motorists against harm.  
12 So, clearly, in general terms as the amount of harm  
13 is reduced, the cost of insuring motorists should go  
14 down. Whether you can tie one specific program to  
15 an overall --

16           REPRESENTATIVE KENNEY: That's part of  
17 the puzzle.

18           MR. RETTING: It was brought to my  
19 attention that one community -- and I can't recall  
20 which one it was -- there was a reduction in  
21 insurance rates that they attributed to the red  
22 light camera program. I just can't recall off the  
23 top of my head what city that was. I'll try to find  
24 that out. Yes, sir?

25           REPRESENTATIVE KENNEY: Could you try

1 to find that out? I would like that information.

2 MR. RETTING: Yes. And, of course,  
3 there have been in the past, for example, air bag  
4 incentives, for example, where 10 percent discounts  
5 were authorized for air bag installation. Reducing  
6 harm and the mechanisms that reduce harm should  
7 drive down the cost of insurance.

8 REPRESENTATIVE KENNEY: Now, there's  
9 reference made to this Oxnard study.

10 MR. RETTING: Yes, sir.

11 REPRESENTATIVE KENNEY: How large of a  
12 city is Oxnard?

13 MR. RETTING: Oxnard is a community  
14 located north of Los Angeles, and the population is,  
15 I believe, close to 200,000. At the time that we  
16 did the study it may have been a little less, but  
17 it's roughly 200,000.

18 REPRESENTATIVE KENNEY: How many  
19 intersections do they have where they installed  
20 these cameras?

21 MR. RETTING: They installed cameras  
22 at 11 intersections in 1997. And there were 125  
23 that had traffic signals on a citywide basis. Out  
24 of those 125, 11 had red light cameras installed.

25 REPRESENTATIVE KENNEY: Any other

1 questions? Thank you very much.

2 MR. RETTING: Thank you, sir.

3 REPRESENTATIVE KENNEY: Now we have  
4 Elizabeth Sprinkel, Insurance Research Council.

5 MS. SPRINKEL: Good afternoon.

6 REPRESENTATIVE KENNEY: Good  
7 afternoon.

8 MS. SPRINKEL: Thank you very much,  
9 members of the Committee, for inviting me here today  
10 to talk about research that the Insurance Research  
11 Council has done. I'm Senior Vice President for the  
12 Insurance Research Council. We're a nonprofit group  
13 located in Malvern, Pennsylvania, funded by property  
14 casualty insurance to do research on public policy  
15 issues affecting risk insurance.

16 As part of our research, we conduct  
17 annual surveys of the public on various  
18 insurance-related issues. And our most recent  
19 monitor covered public support of red light cameras.  
20 And I believe Cathy of the Advocates for Highway  
21 Safety already gave you the overview results that  
22 two of three Americans support red light cameras.

23 Support for red light cameras has  
24 grown. We first started measuring this in 1996,  
25 again in 2000, and finally in 2001. Women are more

1 likely than men to favor the red light cameras, use  
2 of red light cameras, about seven in ten women  
3 compared to about -- a little less than six in ten  
4 men. And also older respondents, those over the age  
5 of 35, are also more likely to favor red light  
6 cameras.

7 That is my testimony in brief. I was  
8 asked to talk about public support for red light  
9 cameras, and I would be happy to answer any  
10 questions that you might have.

11 REPRESENTATIVE KENNEY: Ms. Sprinkel,  
12 your organization is the Insurance Research Council.

13 MS. SPRINKEL: We are a division of  
14 the American Institute for Property Casualty  
15 Underwriters.

16 REPRESENTATIVE KENNEY: Is there any  
17 correlation between this type of legislation and the  
18 safety aspect in reducing the number of crashes and  
19 a reduction in auto insurance?

20 MS. SPRINKEL: I can't speak for other  
21 insurers, but IRC research has looked at the cost of  
22 claims relative to premiums. And claims are by far  
23 the most significant portion of a premium,  
24 accounting for maybe 70 to 80 cents out of every  
25 premium dollar. So anything that can be done to

1 reduce the cost of claims should have an impact on  
2 premiums.

3 REPRESENTATIVE KENNEY: Should, but do  
4 we know if they do?

5 MS. SPRINKEL: Over the last few years  
6 auto insurance has been declining.

7 REPRESENTATIVE KENNEY: Thank you.  
8 Representative McCall.

9 REPRESENTATIVE McCALL: Ms. Sprinkel,  
10 just maybe one little follow-up question. I  
11 probably should have asked this question of  
12 everybody that threw these statistics out at us.  
13 Your survey information, is it based on in  
14 communities where these cameras are being used and  
15 utilized, or is it just a blanket survey across the  
16 country as to whether or not they support -- I would  
17 be curious to see if the cameras were located here  
18 in the city of Philadelphia, after they have been  
19 implemented for a year to see if public support has  
20 increased or decreased.

21 Has it been that specific, your survey  
22 information, or is it just a blanket across the  
23 country, would you be in favor or would you not be  
24 in favor? And does it get to the specific, like  
25 Washington, D.C., where you just poll the residents

1 of Washington, D.C., to say are you in favor or are  
2 you not in favor?

3 MS. SPRINKEL: The three studies that  
4 I referred to are national samples. Two of them are  
5 in-home interviews with approximately 2,000  
6 Americans, again representative of the American  
7 population. The third one, the most recent one, was  
8 a telephone interview with approximately 1,000  
9 Americans, again nationally representative.

10 REPRESENTATIVE McCALL: So they are  
11 not specific to areas that have these cameras with  
12 this type of enforcement?

13 MS. SPRINKEL: No, they are not.

14 REPRESENTATIVE McCALL: Thank you very  
15 much.

16 REPRESENTATIVE KENNEY: Thank you very  
17 much.

18 MS. SPRINKEL: Thank you.

19 REPRESENTATIVE KENNEY: Chief Thomas  
20 King, State College Police Department.

21 MR. KING: Thank you. I have prepared  
22 written comments, and I'm just going to highlight  
23 some of the points of my testimony. I would like to  
24 thank the House Transportation Committee for the  
25 opportunity to speak on House Bill 1572 just in



1 general on the use of red light cameras.

2 My name is Tom King. I'm the Chief of  
3 Police with the State College Police Department in  
4 Centre County.

5 You have heard a lot today about the  
6 need for cameras, the amount of red light running.  
7 I just want to advise the Committee, as you probably  
8 realize, that problem exists in Philadelphia and  
9 also exists in more rural communities in Centre  
10 County. The number one plight that we get related  
11 to traffic in the center region of State College is  
12 red light running. It causes many injuries and it  
13 continues to cause deaths as a result of red light  
14 running.

15 I have spoken about this concept for  
16 the past two years to colleagues of mine across the  
17 Commonwealth, and there is much interest across the  
18 Commonwealth from law enforcement in the ability to  
19 use red light cameras. I have heard from law  
20 enforcement in Centre County, Allegheny County,  
21 Philadelphia, Montgomery, Cumberland and Chester  
22 Counties. That's just some of the places I spoke to  
23 that have strong support for automated red light  
24 enforcement systems.

25 You heard the doctor mention the four

1 "E's." I'm just going to refer to the three "E's."  
2 I left economics out of it, something a police chief  
3 might forget about. I will discuss the engineering,  
4 education and enforcement.

5 Certainly, if red light cameras are  
6 authorized as enabling legislation, I don't think we  
7 could ever forget about engineering and making sure  
8 we design the best intersection we can as it relates  
9 to visibility, to sight distance, signage and so on.  
10 Part of engineering is we can't permit in any way  
11 the yellow timing to be tinkered with in any  
12 inappropriate ways.

13 I think there has to be standards the  
14 best that can be done in the engineering world that  
15 relates to the yellow timing, so that we are not  
16 making it too short or too long. I think studies  
17 will show you that a too short yellow will cause  
18 more red light running and accidents. If you make  
19 it too long so people get used to it and maybe get  
20 to extend out their length of time when it goes to  
21 the red light. So it has to be an appropriate  
22 timing. And that shouldn't be up to law  
23 enforcement, it should be up to engineering.

24 Education is very important. Like  
25 Washington, D.C., I would urge a period of time in

1     which only warnings are done. There should be  
2     plenty of signage done esthetically and as pleasing  
3     as possible, so that we are not catching people off  
4     guard. Our goal is to get compliance, not to get  
5     tickets, although this will get tickets because of  
6     the nature of people and the motorists. But it  
7     shouldn't be a secret. It should be well out in the  
8     open.

9                     The one item I want to talk about is  
10    enforcement. As the Committee has heard,  
11    traditional red light enforcement by police officers  
12    is extremely difficult, it's costly, it can be  
13    dangerous and it's impractical. Why is it  
14    difficult? Many intersections, I'm sure, in  
15    Philadelphia and other places that each of you  
16    represent. I know in State College there are  
17    intersections -- in fact, one of our worst  
18    intersections in State College, actually in College  
19    Township where we patrol, where there is no place to  
20    put a police cruiser to enforce. You cannot enforce  
21    that and put a police car and then still be able to  
22    go out after the violator.

23                     The only way we've been able to do  
24    anything at all at that intersection is by using  
25    officers on foot, who then radio a patrol car a

1 distance away. And now you're talking about two or  
2 three officers versus a camera. It is just  
3 impractical and very difficult.

4 It is dangerous, because dangerous  
5 intersections, when we identify a violation, we have  
6 to go out after the violator. And that is something  
7 that you have to be careful that you are not putting  
8 other people at risk while you do that.

9 Costly, as you know, police department  
10 budgets, about 85 to 90 percent of many of our  
11 budgets are personnel costs. We are at a time  
12 now -- we always have been. It's no better since  
13 September -- with having police officers being  
14 driven in every which direction as it relates to  
15 taking crime reports and other police  
16 responsibilities. What gets cut is enforcement.

17 The first thing to be cut out of  
18 officers' time is the enforcement of laws and  
19 particularly red light enforcement. We don't have  
20 enough staff to go around, but we know that the  
21 intersections are causing injuries and deaths, and  
22 we need to do something to address it.

23 The primary objective of red light  
24 cameras is not to generate revenue. It's to  
25 increase the safety at intersections. We want to do

1 that by reducing violations, reducing crashes,  
2 modifying driver behavior, and promoting safe  
3 driving. We know that when you modify driver  
4 behavior at certain intersections because of  
5 cameras, that modified behavior can be extended to  
6 other places that those persons drive. We're  
7 modifying for the good drivers' behavior throughout  
8 all the areas that they travel, not just places  
9 where there are going to be cameras. So that's a  
10 very positive result of red light cameras.

11 Red light cameras, automated red light  
12 systems are the most practical and effective red  
13 light enforcement systems going. Available to my  
14 knowledge are wet-film cameras, digital cameras, and  
15 there's also video cameras available for the  
16 enforcement of red light violations.

17 Yes, it can be controversial at times,  
18 but it has to be done right. The law of enabling  
19 legislation, the cities that do this have to do it  
20 in the right way. You can limit the capturing of  
21 just the license plate. There is strong public  
22 support generally. There is very strong public  
23 support for these systems. The public wants to feel  
24 safe.

25 In fact, when I talked about this

1 concept just in the concept stages to the State  
2 College Borough Council, it was covered by our  
3 student newspaper at Penn State, the Daily  
4 Collegian. I was pleased to find out a week later  
5 they wrote an editorial, a student editorial,  
6 favoring red light cameras for this purpose. And  
7 they're representing a student population of 40,000  
8 students at Penn State. I've included that  
9 editorial in your packet.

10 It is used in many states. There must  
11 be something right about it. It's even used in the  
12 neighboring states of Delaware, Maryland and New  
13 York.

14 Many advantages of the automated red  
15 light system you heard about. It's 24-hour  
16 enforcement. It can be looked at after the fact.  
17 It reduces violations, it reduces crashes, and it  
18 modifies driver behavior.

19 I would like to talk very briefly  
20 about one additional feature that could be  
21 considered to the red light camera system is a crash  
22 avoidance component of the system. There is the  
23 technology available that when the system predicts a  
24 violation on one street, the opposite street the  
25 system can hold because there is going to be a red

1 light violation. The system can hold the opposite  
2 light red for an extra second or two until that  
3 violation clears, so as to avoid a person going on  
4 green and having a crash.

5 So not only do you have an enforcement  
6 of the red light on the thru street, but the cross  
7 street is held red temporarily. My first concern,  
8 not being an engineer but hearing from our engineers  
9 quite often, is what does this do to a synchronized  
10 system through the entire state. And it's being  
11 done in Vienna, Virginia. It's being done in Falls  
12 Church, Virginia; Fresno, California; Long Beach.  
13 And there's pilot projects being funded by the  
14 Department of Transportation about to be up and  
15 running in Iowa and Kansas.

16 So it's being done in locations where  
17 it can be used in synchronized systems. And I like  
18 that feature, because the real goal is to prevent  
19 accidents. And that's something that could be  
20 considered.

21 In closing, technology affects our  
22 lives every single day. We continue to find new  
23 technology that improves our lives, whether it's at  
24 home or at work. I really see no reason why the  
25 technology shouldn't be used to make our roads

1 safer. It's improvement, it's available, it's  
2 costly. But it needs to be done in order for our  
3 public to be kept safe.

4 I would urge the Committee to  
5 vigorously pursue enabling legislation to permit  
6 cities throughout the Commonwealth to use automated  
7 red light enforcement systems, so we can reach our  
8 ultimate goal. That's improving the safety of the  
9 intersections for all of us that travel through  
10 there every day.

11 I would like to thank Rick Geist and  
12 the entire House Transportation Committee for the  
13 opportunity to speak on this legislation and thank  
14 the sponsors of this bill for bringing it forward.

15 REPRESENTATIVE KENNEY: Thank you.  
16 Mr. McCall.

17 REPRESENTATIVE McCALL: We had a  
18 pretty good time in Baltimore checking out that  
19 technology. I think we were both impressed.

20 MR. KING: Yes, we were.

21 REPRESENTATIVE McCALL: I think -- I'm  
22 not speaking on behalf of the entire Committee. I  
23 think we've heard time and again, you know, we are  
24 just trying to weed through all the pros and cons of  
25 this issue. I don't think any of us are necessarily



1     against it. I think all of us are interested in  
2     public safety, and we want to give police officers  
3     the best tools that they can have at their disposal  
4     to help them do their jobs.

5                     I guess the question -- the bill says,  
6     since you are the first police officer from  
7     Pennsylvania, the bill says the fines for violating  
8     this would be \$100 unless there is an ordinance  
9     passed by the local municipality to make it a lesser  
10    amount. Have you given that any thought? What  
11    would you want the fine to be as Chief of Police in  
12    State College for running a red light?

13                    MR. KING: I think it's always risky  
14    to have fines that are too excessive because of the  
15    inability to pay. But you have to have it high  
16    enough to act as a deterrent. So it has to be more  
17    than a \$2 or \$3 parking ticket. I've seen fines  
18    that tend to be in the \$50 to \$100 range. I've  
19    never seen anything over \$100. Maybe it exists.  
20    I'm just saying what I've seen. And commonly I've  
21    seen \$50 to \$75.

22                    I think that community to community  
23    throughout Pennsylvania differs a little bit in  
24    their economic ability and maybe unemployment rates  
25    and things like that. What the legislation allows,

1 if they want to go lower and they believe that's  
2 appropriate for their community, gives the local  
3 authority to do so. I think that's appropriate. I  
4 certainly personally don't think that it needs to be  
5 over \$100. Then you get the inability to pay for  
6 something where you should be held accountable.

7 REPRESENTATIVE McCALL: Plus it says  
8 no court costs as well.

9 MR. KING: That's helpful also.

10 REPRESENTATIVE McCALL: How about the  
11 police sign-off, you would want that modeled into  
12 any type of bill that we pass in Pennsylvania or  
13 could pass in Pennsylvania?

14 MR. KING: Absolutely. I think the  
15 only way it should be issued is upon review and  
16 sign-off by a police officer verifying the  
17 violation. That's the only person, the only  
18 position that decides a violation.

19 REPRESENTATIVE McCALL: How about a  
20 picture of the plate only, you would be in support  
21 of that?

22 MR. KING: I'm in support of that.

23 REPRESENTATIVE McCALL: How about no  
24 points?

25 MR. KING: I'm in support of that as

1 well. And, again, I think no points has to be taken  
2 into consideration, the fine. In fact, there won't  
3 be points. I do know from doing investigations that  
4 points on a person's driver's license always becomes  
5 a major issue. When I get calls about speeding  
6 tickets, it's not about the \$150 fine, but it's  
7 about the 3 or 4 points.

8 So when we talk about a deterrence, we  
9 need to make sure the fine is high enough, knowing  
10 that they're not going to get points. I also get  
11 that same argument about loss of license. Good job  
12 on that legislation many years ago.

13 REPRESENTATIVE McCALL: Very good.  
14 Thank you.

15 REPRESENTATIVE KENNEY: Representative  
16 Leh.

17 REPRESENTATIVE LEH: Yes, thank you,  
18 Mr. Chairman. Chief King, do you know my good  
19 friend Ed Conners?

20 MR. KING: Everybody knows Ed Conners.  
21 I certainly do.

22 REPRESENTATIVE LEH: I'm working with  
23 him on another piece of legislation that you're  
24 probably aware of, too, for local radar.

25 MR. KING: And I support that as well.

1                   REPRESENTATIVE LEH: You had mentioned  
2 briefly about the possibility of technology that  
3 would allow for the delay of the light on the  
4 intersecting road. It was mentioned earlier by the  
5 Lieutenant. And I think some of the pictures that  
6 he had up on the screen, if I'm correct, one car  
7 went through nine seconds after the light was red  
8 and another one was eight or something.

9                   How much of a delay is technology able  
10 to provide for that? You mentioned about one second  
11 which may not catch a lot of cars. It may not  
12 prevent a lot of cars from going in the  
13 intersection.

14                  MR. KING: I am obviously not an  
15 expert and don't know a lot, but I've been talking  
16 to the vendors who provide that. And my  
17 understanding is that delay can be built into really  
18 what -- between engineers and the vendor decide they  
19 want to make it.

20                  So I think that the typical case is  
21 that two to three seconds after the red light, those  
22 cars are going through and I think that's what it's  
23 intending to catch. If someone decides to wait for  
24 ten or fifteen seconds, you aren't in the whole  
25 intersection that long. My understanding is that

1 can be built in, a reasonable delay can be built in  
2 as to what the engineers decide is appropriate for  
3 the intersection. But I'm not the expert on that.

4 REPRESENTATIVE LEH: That's what it  
5 would seem to me, too. You would go maybe two or  
6 three seconds. But after that, it wouldn't prove  
7 worthwhile.

8 MR. KING: Those long ones are an  
9 aberration. I don't think you can really do much to  
10 prevent those.

11 REPRESENTATIVE LEH: Thank you, Chief.  
12 Thank you, Mr. Chairman.

13 REPRESENTATIVE KENNEY: Thank you,  
14 Chief.

15 MR. KING: Thank you very much.

16 REPRESENTATIVE KENNEY: Gary Hoffman,  
17 Chief Engineer, Pennsylvania Department of  
18 Transportation.

19 MR. HOFFMAN: Thank you. Good  
20 afternoon, Mr. Chairman and members of the House  
21 Transportation Committee. I would like to thank you  
22 for this opportunity to present current PennDOT  
23 initiatives and our position relative to the use of  
24 -- we're going to call it -- technology assisted  
25 enforcement. I'll explain to you in my presentation

1     what that is.

2                     You will see a whole list of  
3     statistics there that indicate the number of  
4     crashes, injuries, fatalities that deal with  
5     intersections. And annually there are 1.8 million  
6     intersection crashes. Many of those relate to red  
7     light running and speeding. And these statistics  
8     are alarming and increasing. And you can read them  
9     there. Many of them have been related to you  
10    already by previously presenters.

11                    To help address this growing national  
12    problem, transportation and law enforcement agencies  
13    in greater numbers are turning to technology  
14    assisted enforcement programs. These programs use  
15    various technologies to facilitate law enforcement,  
16    including camera technology to photograph the  
17    license plates of traffic law violators, and speed  
18    sensor devices to monitor and detect speeding  
19    violations.

20                    The most prominent form of technology  
21    assisted enforcement is red light running  
22    enforcement. The purpose of red light running  
23    enforcement is to reduce the number of violations  
24    and ultimately lead to safer intersections. More  
25    than 22 percent of all urban crashes in the United

1 States are caused by noncompliance with intersection  
2 controls. Red light running enforcement is a tool  
3 that can be used to encourage compliance and prevent  
4 crashes.

5                   Currently, nine states have passed  
6 legislation allowing technology assisted  
7 enforcement, while ten additional states are  
8 considering such legislation. There are 14  
9 automated speed enforcement programs involving  
10 either freeways or arterial streets, mostly in the  
11 western part of the United States.

12                   In addition, photographic detection  
13 devices have been used successfully for some time I  
14 might add in many other countries, including  
15 Australia, Austria, Belgium, Canada, Germany,  
16 Israel, the Netherlands, Singapore, South Africa,  
17 Switzerland, Taiwan and the United Kingdom, all with  
18 positive effects.

19                   I have listed some examples of  
20 technology assisted enforcement implementations in  
21 the United States. And, again, you can read those  
22 statistics on Los Angeles, San Francisco, New York  
23 City, Maryland, Florida. And you can see that  
24 typically there is better than a 33 to 40 percent  
25 reduction in crashes and injuries as a result of the

1 implementation of these technologies.

2 I would like to comment on initiatives  
3 that PennDOT has under way.

4 PennDOT currently plans to use  
5 technology assisted enforcement as part of three  
6 pilot/demonstration initiatives:

7 First, to enhance our motor carrier  
8 safety inspection operations; next, to assist with  
9 highway construction work zone speed enforcement;  
10 and, finally, a corridor project that we have on  
11 Pennsylvania Route 41 here in the southeastern part  
12 of the state.

13 In all three of these initiatives, the  
14 motorist will be stopped immediately down the road  
15 from the location of the cameras or sensors and  
16 issued a citation. And that's the difference  
17 between technology assisted enforcement and pure  
18 automated enforcement where there is actually no  
19 stopping but, in fact, a citation is sent through  
20 the mail. Citations will not be mailed to vehicle  
21 registrants as in fully automated enforcement  
22 systems. And that's because currently we do not  
23 believe that we have the legislative authority to do  
24 full automated, but we do have the authority to do  
25 technology assisted enforcement, working with the



1 Pennsylvania State Police.

2 In the first technology assisted  
3 enforcement project, it's being developed as a  
4 partnership between PennDOT and the Pennsylvania  
5 State Police. PennDOT plans to contract for the  
6 development of a prototype digital camera/radar  
7 speed detection system for the state police use and  
8 evaluation. This prototype system will be a  
9 portable unit that can be set up in the field to  
10 detect speeding traffic and transmit digital images  
11 of the vehicle, driver, license plate number,  
12 measured speed, and the pertinent data to the  
13 Pennsylvania State Police Trooper stationed down the  
14 highway.

15 The Trooper will receive the  
16 information in their cruiser and pull the vehicle  
17 over and issue the appropriate citation. The focus  
18 of this pilot project will be to enhance  
19 Pennsylvania State Police commercial vehicle speed  
20 enforcement efforts in support of PennDOT's motor  
21 carrier safety inspection program.

22 At this time, preliminary design is  
23 complete, and PennDOT is finalizing the solicitation  
24 to contractors/vendors to develop this highly  
25 innovative system.

1           In addition, the second initiative  
2 will look at addressing the dangers faced by workers  
3 and motorists in highway construction work zones.  
4 PennDOT plans to utilize technology assisted  
5 enforcement to target highway construction work  
6 zones. PennDOT is working with the Associated  
7 Pennsylvania Constructors on the application of this  
8 technology to help Pennsylvania State Police  
9 Troopers enforce and maintain safe work zones.

10           Again, if you are in a cattle chute or  
11 work zone, there's no place for a police cruiser to  
12 sit and enforce. But if they are down the street  
13 and they're monitoring the camera in that work zone,  
14 we can look at speed, we can look at aggressive  
15 driving and tailgating and things like that.

16           Finally, the third initiative is the  
17 Pennsylvania Route 41 Safety Corridor  
18 Pilot/Demonstration Project in Lancaster and Chester  
19 Counties. The intention of this project is to  
20 develop, in partnership with the Pennsylvania State  
21 Police, a system to address safety concerns  
22 associated with tailgating, red light running and  
23 speeding along a section of the PA Route 41 corridor  
24 between Gap and Avondale.

25           The project will take place in two

1 phases. First, a standard construction project will  
2 be affected for pull-off enforcement areas,  
3 center-line rumble strips, associated static  
4 signage, and a new pavement marking system which  
5 will put oval dots on the pavement itself to let  
6 motorists know what is a safe distance that they  
7 need to keep between their vehicle and the vehicle  
8 in front of them.

9 This will be followed by a  
10 solicitation for the development and installation of  
11 a complete technology assisted enforcement system,  
12 including red light running camera devices and  
13 speed/tailgating detection devices along the  
14 corridor. These devices will function and be used  
15 in a similar manner to the prototype digital  
16 camera/radar speed detection system described above  
17 in that, again, the Pennsylvania State Police  
18 Trooper will stop -- will have the camera video on  
19 board on their cruiser, will be able to monitor the  
20 different installations along the highway and then  
21 be able to stop the motorist downstream and give  
22 them a citation directly.

23 Now let's discuss PennDOT's position  
24 on technology assisted enforcement. PennDOT  
25 believes that these technologies, applied in the

1 manner described, could be effective in enhancing  
2 law enforcement, encouraging operator compliance  
3 with statutes, reducing crashes and improving  
4 overall highway safety. We believe that these  
5 virtuous objectives should be the sole purpose of  
6 using technology assisted enforcement.

7           The results of the  
8 pilot/demonstrations will be evaluated and  
9 appropriate actions to further disseminate these  
10 technologies will be recommended.

11           We recognize that there is a  
12 perception by some that these systems could be used  
13 primarily to generate revenue for private vendors or  
14 government agencies, as well as concerns over  
15 motorists' right to privacy. However, if the  
16 systems perform their function properly, they should  
17 ultimately increase compliance and thus lead to  
18 decreased ticket revenues. To mitigate this  
19 concern, we would propose that the revenues  
20 collected through citations, those revenues  
21 involving operational costs, be rolled directly into  
22 a legitimate highway safety program. This would  
23 lessen the appearance of impropriety, as well as  
24 strengthen important highway safety programs.

25           We recognize that it will always be

1 necessary to balance safety, security and privacy  
2 issues. Educating the public about the benefits of  
3 the system will help to dispel these concerns. There  
4 should be ample communication and warning to  
5 motorists of the presence of technology assisted  
6 enforcement devices. The public's knowledge of the  
7 existence of technology assisted enforcement will  
8 help to encourage compliance with traffic safety  
9 laws and reduce crashes.

10 I might add that there was a previous  
11 question on yellow and red signal times and whether  
12 or not there was any certification to the  
13 compliance. I have to add that there were in excess  
14 of 12,000 signalized intersections in Pennsylvania.  
15 All of those intersections, whether on a state or  
16 local road, have to be permitted by the Pennsylvania  
17 Department of Transportation. As part of those  
18 permits, we require a calculation of the yellow and  
19 red timing phase, and there are national guidelines  
20 to do that. There are actually formulas that are  
21 used to determine the appropriate yellow phase based  
22 on the speed, the approached speed, the deceleration  
23 of the vehicle and also of the grades coming into  
24 the intersection. So it all factors into how  
25 quickly that vehicle can stop coming to the

1 intersection.

2           So all those timing phases are part of  
3 every permit that we issue. If those timing phases  
4 were changed, it would be a violation of that  
5 permit.

6           We also have publication 191 which is  
7 the guide to the local municipalities on how they  
8 are to make -- it's a maintenance guide for signals,  
9 if you will. In Pennsylvania, almost all the  
10 signals are maintained by the local governments. So  
11 we have this publication 191, signal guide. It's  
12 recommended in that maintenance guideline that the  
13 signal times be checked at least once every six  
14 months. We do not, though, have a certification  
15 program where we go out and we follow the timing.

16           REPRESENTATIVE KENNEY: Thank you.  
17 Representative Harper.

18           REPRESENTATIVE HARPER: Coming from  
19 the local government before I came to Harrisburg, I  
20 am aware that there are permits for each traffic  
21 light and also that the timing is part of the  
22 permitting process. I'm also aware that certain  
23 lights have different timings at different times of  
24 the day. Isn't that possible that you have a signal  
25 that's set differently during rush hour?

1 MR. HOFFMAN: That's absolutely  
2 correct. Not all of them do. The more  
3 sophisticated signal controllers do that, but you're  
4 correct.

5 REPRESENTATIVE HARPER: That would be  
6 on the permit?

7 MR. HOFFMAN: That's correct.

8 REPRESENTATIVE HARPER: So if I were a  
9 driver who thought that the local government had  
10 changed the timing on the yellow light in order to  
11 catch more people, the way one could check that  
12 would be to look at the permit against the timing on  
13 the light which is displayed on the photograph?

14 MR. HOFFMAN: Correct.

15 REPRESENTATIVE HARPER: Would that be  
16 an accurate way to gauge?

17 MR. HOFFMAN: That's correct. You can  
18 also come back and look at the signal controller  
19 itself.

20 REPRESENTATIVE HARPER: Would they  
21 have a history or not? By the time you get the  
22 ticket and go back and look at the controller, the  
23 light might have been changed back to what it was  
24 supposed to be.

25 MR. HOFFMAN: Some of them do have

1 recorders and other ones don't. So if it would have  
2 had a recorder, there would be a history. If not,  
3 it possibly conceivably could have been changed  
4 back.

5 REPRESENTATIVE HARPER: But the  
6 technology we saw earlier recorded the length of  
7 time of the yellow light. That in and of itself  
8 would solve the problem.

9 MR. HOFFMAN: I agree. I think that's  
10 the most appropriate way.

11 REPRESENTATIVE HARPER: Thanks.

12 REPRESENTATIVE KENNEY: Representative  
13 McCall.

14 REPRESENTATIVE MCCALL: One more  
15 question on the calibration issue. I think you've  
16 answered most of it. But what if that traffic  
17 signal is on a local road? I get a permit by  
18 PennDOT. Isn't it true that it does not have to  
19 meet a standard once it's permitted? Or it doesn't  
20 even have to be a standard if it is on a local road  
21 as opposed to a state road?

22 MR. HOFFMAN: It's my belief that once  
23 we issue the permit, the permit requirements are  
24 valid throughout the life of the permit unless  
25 there's been an official change to the permit. So



1 there would be a requirement that those timing  
2 intervals be maintained as originally permitted.

3 REPRESENTATIVE McCALL: Even though  
4 it's on a local road?

5 MR. HOFFMAN: That's correct.

6 REPRESENTATIVE McCALL: In your  
7 testimony where -- I just want to get to the pilot  
8 program. I notice that the pilot's really on  
9 statewide, one specific to PA 41, another to highway  
10 construction zone and then motor carrier safety  
11 inspections. And you're doing that absent of any  
12 legislation. You are doing that with the regulatory  
13 -- your perceived regulatory authority.

14 I just want you to provide to this  
15 Committee the legal opinion that you have from your  
16 department where you think you have the statutory  
17 authority to do what you are doing.

18 MR. HOFFMAN: That opinion came from  
19 our chief counsel and also the state police chief  
20 counsel.

21 REPRESENTATIVE McCALL: So you have a  
22 legal opinion from both the state police and PennDOT  
23 stating that you have the statutory authority to do  
24 this right now?

25 MR. HOFFMAN: That's correct.

1                   REPRESENTATIVE McCALL: What types of  
2 pictures would you be taking with the equipment that  
3 you're using? You said digital. Is it going to be  
4 a video? Is it going to be a still photo?

5                   MR. HOFFMAN: It's going to be a still  
6 photo. I guess all the details have not been worked  
7 out yet. We have a consultant on board to design  
8 the equipment and the process for us, but it will be  
9 a physical stop downstream from the actual  
10 infraction. And I understand because of that, we  
11 not only will take a photo of the vehicle and the  
12 license plate, but I believe there's going to be --  
13 and I'm not absolutely sure, but I believe there  
14 will need to be identification of the driver in  
15 order to issue the driver a citation.

16                   REPRESENTATIVE McCALL: So we are  
17 talking not just a civil matter, we're talking  
18 criminal as well?

19                   MR. HOFFMAN: That could be true, yes.

20                   REPRESENTATIVE McCALL: And your  
21 understanding is that it will be a digital still  
22 photo, not a video of the vehicle?

23                   MR. HOFFMAN: Correct.

24                   REPRESENTATIVE McCALL: So whatever  
25 violation would be broken, they would be all be

1 assigned court costs, fines, that type of thing?

2 MR. HOFFMAN: Yes.

3 REPRESENTATIVE McCALL: CAT fund as  
4 well?

5 MR. HOFFMAN: Yes. But the person  
6 making the infraction does have to physically stop  
7 immediately downstream from the infraction by a law  
8 enforcement officer that has jurisdiction in that  
9 area.

10 REPRESENTATIVE McCALL: Who would  
11 calibrate this equipment? Who would be responsible  
12 for calibrating the equipment?

13 MR. HOFFMAN: During the pilot, that  
14 would be PennDOT's responsibility solely.

15 REPRESENTATIVE McCALL: Very good.  
16 Thank you.

17 And you will provide -- I'm sorry, you  
18 will provide those opinions?

19 MR. HOFFMAN: Yes, I will.

20 REPRESENTATIVE McCALL: Thank you.

21 REPRESENTATIVE KENNEY: Thank you, Mr.  
22 Hoffman.

23 MR. HOFFMAN: Thank you.

24 REPRESENTATIVE KENNEY: I do  
25 apologize. Bernice Sikora, President, Greater

1 Bustleton Civic League.

2 MS. SIKORA: I want to start out by  
3 saying I know Ed Conners. I worked with him for  
4 years.

5 REPRESENTATIVE LEH: Quite a guy.

6 MS. SIKORA: Yes, he is. Good  
7 afternoon, remaining members of the Committee.

8 I would like to start off by thanking  
9 Representative George Kenney and our local  
10 Councilman Frank Rizzo for being instrumental in  
11 holding this hearing in an attempt to address a  
12 serious safety problem in our community, and I come  
13 here in support of House Bill 1572.

14 While this testimony may sound mundane  
15 as it reflects the day-to-day experience of those  
16 living near Grant and the Boulevard, please bear  
17 with me.

18 The Bustleton community lies on the  
19 west side of Roosevelt Boulevard; Bustleton Avenue,  
20 the other major north and south highway is one of  
21 the busiest in the city, but the presence of Route 1  
22 far overshadows Bustleton Avenue in the concerns of  
23 our citizens returning time and again as a major  
24 source of fear and exasperation in our meetings and  
25 in the local press, as personal experience is

1 continually validated by death and property damage.

2           The intersections at Grant Avenue and  
3 Red Lion Road are major east/west thoroughfares that  
4 cross one of the most heavily-traveled highways in  
5 the nation, Roosevelt Boulevard. They are used for  
6 daily commutes as well as local traffic travel. At  
7 both intersections, there are 12 lanes of traffic.  
8 In each case, there is a major shopping area on at  
9 least one corner and restaurants, gas stations and  
10 businesses on others.

11           Citizen complaints about these  
12 intersections have spanned decades and have prompted  
13 numerous meetings. No matter what solution is  
14 proposed by the community, it always seems to  
15 violate some basic principle of highway engineering  
16 or safety. Frankly, we are convinced that the  
17 present daily operation of these intersections  
18 already violates basic engineering and safety  
19 principles. Repeated accidents serve as our proof.

20           On October the 25th, within a six-hour  
21 period, there were three separate reported accidents  
22 at Grant and the Boulevard; not to mention between  
23 October the 26th and November the 4th, there were an  
24 additional six accidents at Grant and Boulevard and  
25 five reported accidents at Red Lion and Boulevard.

1           These two intersections were even  
2 revealed as being in the top three most dangerous in  
3 the nation according to an analysis done by State  
4 Farm Insurance. This designation is hardly  
5 surprising to those who live here. It is generally  
6 agreed by those who attend our meetings that the  
7 intersections suffer from a combination of poor  
8 traffic light design, high volume, a lack of  
9 barriers to reduce the number of east/west left  
10 turners who can enter the intersection, a  
11 generalized lack of enforcement of traffic laws, and  
12 extremely poor decision-making on the part of  
13 individual drivers who, when confronted with the  
14 results of the poor design, either freeze or behave  
15 very aggressively.

16           There are many left turns made in each  
17 of the directions, with the most problematic being  
18 the east-to-north and west-to-southbound turns. On  
19 a daily basis, there is at least one reported  
20 accident, if not more. I emphasize reported, for as  
21 we all know, minor fender benders are usually  
22 resolved between vehicle operators with no police or  
23 insurance reports being filed.

24           Due to the current configuration of  
25 traffic signals and poor driving, individual cars

1 are frequently stranded in the intersection and they  
2 are then given the opportunity to either block one  
3 or more lanes of north/south traffic or to try to  
4 shoot past other lanes of north/south traffic.

5 Additionally, drivers in the blocked  
6 lanes then make decisions to try to go around the  
7 blocking cars, intruding upon the lanes of other  
8 north/south cars.

9 Amazingly, during the last major  
10 restoration at Grant and the Boulevard, the only  
11 serious change was to make two left-turn lanes  
12 available for southbound left turners. To address  
13 the problems that remain at this intersection, we  
14 have been promised massive construction at some  
15 point in the future. In the meantime, we have been  
16 given interim changes that, while apparently a point  
17 of pride among traffic engineers, have utterly  
18 failed to resolve the problem. Also, the removal of  
19 the east/west concrete medians demarcating left-turn  
20 lanes has helped to exacerbate the problem.

21 After the State Farm announcement,  
22 more heat was generated on comparing statistics than  
23 light was shed on why the intersections are so  
24 unsafe. While the traffic engineers have dismissed  
25 recommendations for reprogramming of lights because

1 of requirements of carefully timed intersections,  
2 the reality is that these intersections are  
3 constantly off time because of the blockages and  
4 accidents. It is apparent to all who daily cross  
5 these intersections that the traffic engineers are  
6 living in a fantasy world that does not include  
7 these two intersections.

8 I would also like to bring to your  
9 attention the fact that within a quarter of a mile  
10 north of Grant Avenue on the Boulevard, there are  
11 plans to develop a 36-acre site for a shopping  
12 center. It must be pointed out that with this  
13 development you will bring 750 new jobs as well as  
14 an untold number of shoppers and additional traffic.  
15 While it is recognized that our city is in dire need  
16 of jobs and revenue, our community will not support  
17 development unless and until this major safety issue  
18 is appropriately addressed.

19 For your review, I have included with  
20 this testimony a diagram of traffic patterns at the  
21 intersections of Grant and Boulevard and Red Lion  
22 and Boulevard.

23 For immediate relief, we believe that  
24 House Bill 1572 is a step in the right direction.  
25 It is our further believe that a retiming of traffic



1 signals will also help to alleviate the ever present  
2 dangerous situation.

3           Lastly, these intersections with their  
4 bus stops and businesses generate a surprising  
5 amount of pedestrian traffic, which is particularly  
6 victimized by the left-turn gridlock. I would ask  
7 that you take a moment to look at the photo of a man  
8 with his daughter attempting to cross the Boulevard  
9 at Grant. The photo speaks for itself. Do we need  
10 help? You bet we do.

11           Additionally, for the safety of all  
12 who travel the intersections at Red Lion and Grant  
13 Avenue and Boulevard, I request that House Bill 1572  
14 be approved by the Committee. If not by the  
15 Committee, I would request that the State approve  
16 appropriate funding for reconstruction of Grant  
17 Avenue and the Boulevard.

18           Thank you.

19           REPRESENTATIVE KENNEY: Thank you, Ms.  
20 Sikora, for your testimony. Thank you also for your  
21 fine leadership you have provided to the community  
22 on this issue, particularly this public safety  
23 issue. I guess Bustleton -- the Boulevard and Grant  
24 and the Boulevard and Red Lion, I guess we should  
25 have you get together with Mr. Hoffman and try to

1 figure out the traffic engineering.

2 When you say traffic engineers have  
3 dismissed recommendations, when you say traffic  
4 engineers, who are you referring to?

5 MS. SIKORA: Our city traffic  
6 engineers.

7 REPRESENTATIVE KENNEY: You primarily  
8 dealt with city engineers?

9 MS. SIKORA: Yes.

10 REPRESENTATIVE KENNEY: That's an  
11 ongoing discussion. How long has the discussion  
12 been with the city engineers?

13 MS. SIKORA: At least 15 years,  
14 possibly more.

15 REPRESENTATIVE KENNEY: Have you ever  
16 invited the state engineers to step in?

17 MS. SIKORA: They may have at one time  
18 prior to my being involved. And the feeling is that  
19 the timing would impede on the flow of traffic.

20 REPRESENTATIVE KENNEY: Do you know  
21 the status -- I know State Farm made the  
22 announcement, Roosevelt Boulevard and Grant and  
23 Roosevelt Boulevard and Red Lion are two of the most  
24 dangerous intersections in the country.

25 MS. SIKORA: Correct.

1                   REPRESENTATIVE KENNEY: Do you know  
2 the status of State Farm's recommendation to help  
3 the city?

4                   MS. SIKORA: No. We have sent a  
5 letter to the mayor asking his input and help to  
6 move that grant along, to make themselves accessible  
7 to State Farm to bring that money into the  
8 intersections, possibly with better signage and  
9 timing, but we haven't heard.

10                  REPRESENTATIVE KENNEY: When -- do you  
11 recall when that letter was sent to the mayor?

12                  MS. SIKORA: About five days.

13                  REPRESENTATIVE KENNEY: And to date no  
14 response?

15                  MS. SIKORA: No response.

16                  REPRESENTATIVE KENNEY: Representative  
17 Leh.

18                  REPRESENTATIVE LEH: Ms. Sikora, do  
19 you know if the city ever requested from the  
20 Transportation Commission which holds 12-year  
21 hearings every year to get major transportation  
22 projects begun and funded, engineering studies done,  
23 permitting process, do you know if anybody from the  
24 city ever approached the Commission about looking at  
25 those intersections?

1 MS. SIKORA: No, I don't. I  
2 understand that the long range plan is for  
3 reconstruction of the intersection. But I don't  
4 know if that's just the city's agenda or if they're  
5 working on it with another government entity.

6 REPRESENTATIVE LEH: Thank you.

7 REPRESENTATIVE KENNEY: Thank you.  
8 Again, Bernice, thank you very much for your time.

9 MS. SIKORA: Yes, thank you.

10 REPRESENTATIVE KENNEY: Larry Frankel,  
11 Executive Director, American Civil Liberties Union  
12 of Pennsylvania.

13 MR. FRANKEL: Thank you,  
14 Representative Kenney and other members of the  
15 Transportation Committee. Thank you for offering me  
16 the chance to testify today.

17 The ACLU opposes House Bill 1572  
18 because we think it undermines due process and also  
19 poses a threat to privacy. Some of the prior  
20 witnesses discussed the privacy notion and I will  
21 discuss that, but I would first like to focus on the  
22 due process problem.

23 I think you understand how the  
24 legislation works from just a review. A car goes  
25 through an intersection that has one of these

1 cameras. The owner of the vehicle would get a  
2 ticket. The burden would be on the owner to prove  
3 that they weren't the driver or request a hearing or  
4 if they wish to say who the driver may be, if they  
5 even knew. If they request a hearing, the bill  
6 specifically states that the Rules of Evidence will  
7 not apply at that hearing.

8 In the United States of America, you  
9 presume someone is innocent until proven guilty.  
10 That principle appears to be abandoned in this  
11 legislation. You're presumed to be guilty. In this  
12 country, the burden is on the government to  
13 establish that one is guilty, but that principle is  
14 also abandoned. You have to prove you're innocent.

15 Finally, both the United States and  
16 Pennsylvania Constitutions recognize the right to  
17 confront one's accuser. That right of confrontation  
18 is rendered meaningless under this bill, because  
19 one's accuser is a machine. And how we confront a  
20 machine is something I'm not sure I understand.

21 Now, I've heard the witnesses here  
22 today discount some of these kinds of concerns  
23 saying that traffic safety, public safety is  
24 important. No doubt about it, we agree. Public  
25 safety is important. Making our roads safer is

1 important. I don't think it's an either/or  
2 proposition. You don't either have red light  
3 cameras or do nothing. We believe that there are  
4 other means to make our roads safer without  
5 diminishing due process or privacy rights that  
6 should be explored.

7           The nation's commitment to due  
8 process: This county's commitment to due process is  
9 procedural fairness when citizens are accused of  
10 violating the law. It is a principle that really  
11 distinguishes us from most other countries in the  
12 world. We lose too much of what we consider freedom  
13 and liberty when we sacrifice those principles in  
14 the name of some other interest, unless we really  
15 feel there is no other alternative.

16           I believe the police official from  
17 Washington, D.C. was asked if Washington, D.C.'s  
18 system was ever challenged before. And he probably  
19 is right, the system itself was not challenged. But  
20 in San Diego, there has been an extensive challenge.  
21 Earlier this summer, a state trial court in San  
22 Diego vindicated concerns about fairness of this  
23 process. The court held that evidence from the red  
24 light camera was so untrustworthy and so unreliable  
25 that it lacks foundation and should not be admitted.

1 So there is a court that has voiced that, and I  
2 would be happy to provide a copy of that court's  
3 opinion or other information about the case.

4 I have attached the testimony of House  
5 Majority Leader Richard Arme y to my testimony, so  
6 that you can see that his major concern that he  
7 expressed at the hearing this summer was on the  
8 issue of due process, not on the issue of privacy.  
9 Is this procedure fair? Is it the way we want to go  
10 in this country?

11 I also attached a couple letters from  
12 the most recent edition of Governing Magazine, which  
13 also raised the issue of fairness and talks about  
14 other ways which we can reduce red light running  
15 without going forward with this kind of technology.

16 We are also concerned about the  
17 privacy issues in a different way than what was  
18 discussed earlier. Under the legislation, it is  
19 going to be a picture of a driver's license and that  
20 isn't what concerns us. What concerns us is what  
21 can be done with cameras once they are installed.  
22 And, of course, I can just see if you authorize this  
23 legislation and maybe four years later you then come  
24 back and say, we really ought to let those cameras  
25 do more now that they are there. We really need to

1 ask them to keep track of who's on the streets,  
2 because we have criminals around, and developing a  
3 rather extensive surveillance system.

4 We are very concerned that that kind  
5 of expansion of the use of the cameras is in the  
6 offering. Really, the way to prevent it is not to  
7 authorize the cameras in the first place.

8 I recommend for you interested in the  
9 problems associated with video surveillance a recent  
10 article in the New York Times Magazine called Being  
11 Watched by Jeffrey Rosen, who spent some time in  
12 Britain, which has extensive video surveillance  
13 going on. And he talks about citizens and public  
14 officials who really some in the law enforcement  
15 community were quite candid and admitted that this  
16 wasn't about arresting people. This was about  
17 making them feel they were being watched all the  
18 time.

19 Again, that is a big brother, and we  
20 think that not only are ACLU members concerned about  
21 the correctness of video surveillance, that many  
22 others in society are as well.

23 There was also a privacy concern  
24 related to what we might call mission creep, the  
25 data collected through the video camera system may



1 be transferred to others, sold to others, used for  
2 other purposes. Video cameras are being used at the  
3 borders of Oklahoma, and there are reports that all  
4 of a sudden all the drivers who had been going  
5 through that border crossing, state border crossing,  
6 were receiving letters inquiring why they were going  
7 from one state to another.

8           Whether it was from a private company  
9 or whether it was from a public entity, we've seen  
10 from what one state has collected its use, its  
11 misuse. There's a market for it. And we are very  
12 concerned that potentially without some real strong  
13 language in the legislation, the data collected here  
14 could be used by others for other purposes.

15           Finally, we are troubled by reliance  
16 on technology rather than human observation to  
17 enforce our laws. This may be only the first step,  
18 but I can see a whole series of bills coming through  
19 where we really have to use technology to catch  
20 people. We are going to reduce our dependence on  
21 human observation. We are going to reduce our  
22 dependence on individualized determination of guilt,  
23 which is another hallmark of our system.

24           But going back to the whole ability to  
25 confront one's accuser and the problem when

1 technology is the accuser, how can someone accused  
2 of driving through a red light effectively  
3 cross-examine a video camera? How does one prove  
4 credibility of a photograph that was taken or the  
5 system that was used to generate that photograph?  
6 How do you account for mistakes that machines make?  
7 Technology does make mistakes.

8           Someone mistakenly charged due to an  
9 error on the part of the camera, the burden will be  
10 on them to demonstrate that the system  
11 malfunctioned. They'll have to put up the money to  
12 hire experts to bring them in to show why the system  
13 didn't work. Fortunately for many people in San  
14 Diego, there was a very passionate lawyer willing to  
15 take on these cases, but they cost money and they  
16 would cost time. And, in the meantime, we may have  
17 a system making an error rather than citizens making  
18 errors.

19           Then when we come up against the false  
20 charge of running a red light, and when we no longer  
21 need to go into traffic court and maybe taking it to  
22 the Court of Common Pleas, trying to demonstrate  
23 that the police officer's observations were  
24 inaccurate; instead, it's going to require the  
25 demonstration that the machinery malfunctioned.

1 And none of this may really advance the public  
2 safety in the best way possible.

3 We've heard some statistics today.  
4 I've read articles that dispute some of those  
5 statistics, but I'll just offer a couple of  
6 comments. One is there are alternatives to red  
7 light cameras. There's better engineers, better  
8 engineering at intersections. There is expanding  
9 time with which yellow lights are out there. It may  
10 cost money. Maybe we need to have more police  
11 officers on the street.

12 Part of me, based on my own personal  
13 experience just the other day, wonders whether if we  
14 reduce the number of officers on the street because  
15 we use video cameras, other traffic violations might  
16 not go up that are being caught by the camera. I  
17 was driving from Philadelphia all the way up to  
18 Williamsport. I was leaving Philadelphia about  
19 lunchtime, and three times before I got out of the  
20 city I saw someone making either a left turn from  
21 the right lane or a right turn from the left lane.  
22 I mean, those kind of violations occur all the time.  
23 The camera's not going to catch them. Fewer  
24 officers on the street looking for people violating  
25 the law is going to lead potentially to more traffic

1 violations and possibly more accidents on their own.

2 We believe that America must carefully  
3 examine the use of technology for law enforcement  
4 purposes, that there is a value to having a human  
5 being actually enforce the law, that House Bill 1572  
6 unnecessarily undermines the due process in addition  
7 to the privacy concerns we expressed.

8 I would be happy to try to answer any  
9 questions that you may have.

10 REPRESENTATIVE KENNEY: Representative  
11 McCall.

12 REPRESENTATIVE McCALL: Just one  
13 question, Larry. I don't even know if you have the  
14 ability to answer it, but I still would like to ask  
15 it. Are you aware of the pilot program that  
16 PennDOT's proposing and is this the first you heard  
17 of it?

18 MR. FRANKEL: The first I've heard of  
19 it.

20 REPRESENTATIVE McCALL: Because I  
21 wanted to know if you thought whether or not they  
22 had the statutory authority. I think that's a  
23 no-brainer.

24 MR. FRANKEL: I would be interested in  
25 seeing what they think it's derived from, because I

1 think I expressed some of the due process concerns.  
2 I mean, I think it's one thing if -- I believe this  
3 is the way, at least the state police on the  
4 turnpike operates, that if they know somebody that  
5 -- there's evidence that somebody is speeding, then  
6 they pursue the person for a while and actually see  
7 the speeder themselves, the ticket can be issued.  
8 But I must confess this is not an area of great  
9 expertise. I am a big fan of public transit and the  
10 train from Philadelphia to Harrisburg.

11 REPRESENTATIVE McCALL: Understood.  
12 Thank you.

13 REPRESENTATIVE KENNEY: Mr. Frankel,  
14 you said you had read articles that disputed some of  
15 these studies. Could you provide the Committee with  
16 those articles?

17 MR. FRANKEL: I would be happy to.

18 REPRESENTATIVE KENNEY: Help me. I  
19 guess I heard about 70 cities had this red light  
20 camera enforcement right now. You referenced a  
21 state court in San Diego, they seem to recognize  
22 fundamental fairness. Have there been challenges in  
23 any of those other 69 cities, do you know, and have  
24 the courts just ruled the opposite in those?

25 MR. FRANKEL: I do not know for sure

1 that there have been challenges. Two, I don't know  
2 the exact language that is used in those other  
3 states. That may affect. I'm referring to the  
4 specifics of the legislation here, which makes it  
5 clear that if you want to contest a ticket, you have  
6 to request the hearing, you have to come in and  
7 prove with sufficient evidence that you were not the  
8 driver.

9 I don't know how it works in other  
10 jurisdictions, but I also know that given the amount  
11 of the ticket and compared to how much it costs to  
12 hire an attorney, many people willingly will pay the  
13 ticket, so that may be the reason they haven't been  
14 challenged.

15 I only know about what's going on in  
16 San Diego, because a combination of the current or  
17 former mayors and radio talk show hosts and some  
18 lawyers, they really decided that they would  
19 challenge that system.

20 REPRESENTATIVE KENNEY: The issue in  
21 San Diego is different than this, but you don't know  
22 the difference?

23 MR. FRANKEL: Well, one of the issues  
24 in San Diego which is not in this legislation was  
25 that apparently how the intersections were being

1 designated was contrary to how it was supposed to be  
2 done under state law. But then also the other  
3 evidence led the court to find that we can't rely on  
4 the evidence generated by these cameras to cite  
5 people.

6 Now, much of it was because it didn't  
7 comply with other aspects of California law, but  
8 there are issues that the court noted with regard to  
9 how fair the procedure is where you rely solely on  
10 technology and not a human who is explaining what  
11 they saw a person do.

12 REPRESENTATIVE KENNEY: I think this  
13 legislation is quite different than the San Diego's  
14 and that's why I pose that question, because I don't  
15 think the language in this bill has been challenged  
16 similar to Washington, D.C. And that's why I asked  
17 Lieutenant Burke the same question.

18 REPRESENTATIVE McCALL: Let me just  
19 clarify. In addition, what San Diego did rather  
20 than all of the other jurisdictions, they took a  
21 picture of both the driver, the operator of the  
22 vehicle in the front as well as their vehicle. And  
23 part of the requirement was that they had to match  
24 that face with a face that was generated by their  
25 Department of Motor Vehicles. That's where it

1 became very subjective, and that's, I think, what  
2 the court based its opinion on in throwing it out,  
3 it was too subjective, matching that face up with  
4 the DMV record. And if they, in fact, couldn't,  
5 they would tell that person, well, then you turn in  
6 the person that was driving the vehicle. That was  
7 the basis for it.

8 REPRESENTATIVE KENNEY: Any other  
9 questions? Thank you, Mr. Frankel.

10 MR. FRANKEL: Thank you.

11 REPRESENTATIVE KENNEY: Gerald  
12 McBride, Member, National Motorist Association.

13 Mr. McBride, give us a synopsis of  
14 your testimony.

15 MR. McBRIDE: I was going to read the  
16 entire three pages, maybe because I'm not a public  
17 speaker.

18 REPRESENTATIVE KENNEY: That's fine.

19 MR. McBRIDE: If you would like, I  
20 would like to read it, I think it is important. I  
21 will try and be brief.

22 On its surface, the proposal to employ  
23 electronic surveillance to enforce traffic laws  
24 appears innocuous; after all, traffic deaths and  
25 injuries will supposedly decrease. Who doesn't want



1 this result? However, this result is not proven or  
2 guaranteed.

3 Surveillance in any form represents an  
4 erosion of personal liberty. In matters of national  
5 security and crime, we might well be willing to make  
6 the sacrifice. In times of national crisis, we  
7 might even feel ennobled. But are we ready to do so  
8 to achieve dubious results in matters of traffic  
9 regulation?

10 Consider the central argument of  
11 traffic camera advocates; that RLC technology will  
12 reduce the number of injuries and traffic fatalities  
13 resulting from running red lights. Not a single  
14 study that has attempted to validate the use of RLCs  
15 has been successful in doing so. The study that is  
16 usually being quoted to support RLCs is the 2001  
17 Oxnard Crash Study conducted by the Insurance  
18 Institute for Highway Safety, a group that is fully  
19 funded by the insurance industry which has a vested  
20 interest in motorists receiving tickets.

21 The Oxnard Study has been debunked by  
22 several groups, the most recent of which would be  
23 the California Senate Committee on Privacy which  
24 concluded that the study proved nothing in regards  
25 to the safety benefits of these devices.

1           On the other hand, one of the most  
2 comprehensive studies of this technology was  
3 conducted in Australia by the Monash University.  
4 The university studied the five years before RLCs  
5 were installed and the five years after. The  
6 researchers found no benefits whatsoever to this  
7 type of enforcement and, in fact, found that the  
8 devices increased the number of rear-end collisions  
9 at intersections where RLCs had been installed.

10           In addition to issues of personal  
11 liberty and effectiveness, the imposition of RLC  
12 technology presupposed that drivers do not want  
13 compliance with traffic lights. In fact, every  
14 survey conducted by an independent agency to date  
15 reveals conclusively that they do. And though it  
16 can be reasonably argued that behavior is a more  
17 accurate measure of a person's belief than  
18 high-minded words in response to an opinion poll,  
19 the impressive 96 percent reduction in red light  
20 violations which resulted in Fairfax County,  
21 Virginia by simply lengthening yellow lights from 4  
22 to 5.5 seconds, as documented in a study of RLCs by  
23 the Virginia Department of Transportation of RLCs in  
24 Fairfax County, confirms that when traffic signals  
25 are properly adjusted and calibrated, drivers do, in

1 fact, obey traffic signals.

2           Similar results came from a AAA  
3 Michigan study that improved the engineering of four  
4 of Detroit's worst intersections. A 47 percent  
5 decrease in crashes and a 50 percent reduction in  
6 injuries was achieved by correcting engineering  
7 flaws.

8           It would appear then on the basis of  
9 these studies, especially the Virginia Department of  
10 Transportation experience, that there is no logical  
11 need for red light camera technology. Instead, if  
12 our goal is to truly serve the public interest by  
13 increasing public safety, our resources should be  
14 directed toward eliminating the circumstances which  
15 cause violations and accidents. These include  
16 improperly selected or improperly installed traffic  
17 devices and poorly timed, synchronized or maintained  
18 traffic lights. Every one of you, I'm sure, can  
19 identify at least one traffic light in your commute  
20 that is somehow flawed. Many of these problems are,  
21 at least in part, the result of an inherently flawed  
22 traffic control philosophy.

23           If we fix the engineering problems  
24 with the intersections that have a high rate of red  
25 light violations, you will see a drastic reduction

1 in violations and accidents. Red light cameras  
2 might have a minor effect on violations, but they  
3 have been proven to actually increase accidents.

4 In closing, should the Pennsylvania  
5 legislature nonetheless conclude that such  
6 technology represents more than what United States  
7 Representative Dick Armey calls "Orwell's cash  
8 machine," for raising local revenues, I respectfully  
9 submit that several components be incorporated in  
10 the legislation to ensure that tickets are given to  
11 those who are truly at fault:

12 First, that the minimum yellow light  
13 interval shall be 4 seconds for intersection signals  
14 on streets with actual 85th percentile approach  
15 speeds of 30 miles per hour or less; and that the  
16 yellow light interval shall be increased one half  
17 second for each 5 mile per hour increase in 85th  
18 percentile approach speeds above 30 miles per hour.  
19 This will ensure that a motorist's failure to stop  
20 is not due to inadequate yellow light time.

21 Second, that payments to  
22 subcontractors be based on reductions in violations  
23 and accidents, not on the number of citations  
24 issued. This eliminates a conflict of interest with  
25 any contractor. With the current system proposed,

1 it isn't in the contractor's best interest to reduce  
2 the number of tickets issued as that would mean less  
3 money in his pocket. But if they were paid on  
4 reductions, then the contractor will strive to make  
5 the intersection safer, which is, after all, our  
6 true goal.

7 Third, that the driver of the vehicle,  
8 not the owner, shall be responsible for the  
9 violation. And for a valid conviction, the photo  
10 must clearly depict the driver, the vehicle  
11 registration number, the state of registration, the  
12 vehicle entering the intersection on a red light and  
13 the time and date of the violation. This will  
14 ensure the punishment of the truly guilty.

15 Fourth, the tickets issued by an RLC  
16 installation that does not meet these standards  
17 should be voided or dismissed.

18 Thank you for your time and  
19 consideration.

20 REPRESENTATIVE KENNEY: Thank you, Mr.  
21 McBride. Representative McCall.

22 REPRESENTATIVE McCALL: One question.  
23 On Page 2 of your testimony at the very bottom of  
24 the page, the red light cameras, it has been proven  
25 that they actually increase accidents, if you could

1 provide the Committee with that study or information  
2 to substantiate that, we would very much appreciate  
3 having that.

4 MR. McBRIDE: Do you need that today?

5 REPRESENTATIVE McCALL: At your  
6 convenience.

7 MR. McBRIDE: I will get that for you.

8 REPRESENTATIVE McCALL: Thank you.

9 REPRESENTATIVE KENNEY: Representative  
10 Leh.

11 REPRESENTATIVE LEH: I would just like  
12 to request also in addition to that if you could  
13 provide us with the California study.

14 MR. McBRIDE: I would be glad to.

15 REPRESENTATIVE LEH: And also the  
16 Australia study. That would be helpful to the  
17 Committee. Thank you.

18 MR. McBRIDE: I'd be glad to.

19 REPRESENTATIVE KENNEY: Thank you, Mr.  
20 McBride.

21 MR. McBRIDE: Where do I provide them?

22 REPRESENTATIVE KENNEY: The staff will  
23 give you an address.

24 MR. McBRIDE: Thank you.

25 REPRESENTATIVE KENNEY: Mr. Brad

1 Richman, an Official Assistant to Police  
2 Commissioner Timmone, is here. Mr. Richman, do you  
3 want to step forward. I heard the Commissioner was  
4 detained.

5 Would you give your name and title.

6 MR. RICHMAN: Yes. My name is  
7 Bradford A. Richman, R-I-C-H-M-A-N, Special  
8 Assistant to the Police Commissioner of  
9 Philadelphia.

10 First, I would like to express on  
11 behalf of the Commissioner his gratitude for an  
12 opportunity to express to you our position on this  
13 matter.

14 Unfortunately, the Commissioner, who  
15 would otherwise be here himself to offer this, is  
16 currently on a plane on his way to Massachusetts on  
17 official police business and can't be here today.  
18 So he asked me to come here this afternoon to  
19 express a few sentiments, which actually have  
20 previously been expressed on this very matter.

21 The Philadelphia Police Department  
22 supports this legislation authorizing the use of red  
23 light cameras for traffic enforcement as the most  
24 current technology available. The research has  
25 shown that the introduction of this technology may

1 significantly reduce accidents and injuries  
2 resulting from accidents involving the running of  
3 red lights.

4 In April of this year, the Insurance  
5 Institute for Highway Safety released the first  
6 significant study on the effects of red light camera  
7 enforcement technology. The study indicated that  
8 injury crashes at traffic signals were reduced 29  
9 percent after the introduction of red light camera  
10 enforcement. Specifically, front-into-side  
11 collisions, the crash type that's mostly associated  
12 with the running of red lights, were reduced 32  
13 percent overall; and front-into-side crashes  
14 involving injuries were reduced 68 percent.

15 Interestingly, only about 9 percent of  
16 the total 125 intersections that were involved in  
17 this study were equipped with red light cameras.  
18 Nevertheless, crashes declined at those  
19 intersections without red light cameras as well.  
20 That is, the violations apparently dropped in about  
21 the same proportions at intersections with and  
22 without cameras, indicating the possible current  
23 value of red light cameras and their ability to  
24 change driver behavior.

25 Considering the goal of the



1 Philadelphia Police Department's traffic enforcement  
2 efforts is to reduce auto accidents and the injuries  
3 and deaths which result from those accidents, any  
4 legislation authorizing the use of proven technology  
5 that can help reduce auto accidents will be  
6 supported and equally welcomed by the Philadelphia  
7 Police Department.

8 Thank you for the opportunity to  
9 appear this afternoon, and I express that on the  
10 Commissioner's behalf.

11 REPRESENTATIVE KENNEY: Mr. Richman,  
12 thank you. There are no questions from the  
13 Committee. Thank you and thank the Commissioner for  
14 your testimony.

15 MR. RICHMAN: I will do that. If any  
16 questions arise when he returns, please call us.

17 REPRESENTATIVE KENNEY: Thank you very  
18 much.

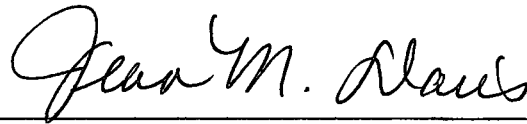
19 Is Gerald Lamparter still here?

20 Any comments? Not hearing any, the  
21 meeting is adjourned.

22 (The hearing concluded at 4:24 p.m.)  
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I hereby certify that the proceedings  
and evidence are contained fully and accurately in  
the notes taken by me on the within proceedings and  
that this is a correct transcript of the same.



Jean M. Davis, Reporter  
Notary Public

