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HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA

\* \* \* \* \*  
Red Light Camera Program  
\* \* \* \* \*

House Transportation Committee

Main Capitol Building  
Room 60 East Wing  
Harrisburg, Pennsylvania

Tuesday, September 25, 2007 - 9:00 a.m.

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BEFORE:

- Honorable Joseph Markosek, Majority Chairman
- Honorable Paul Costa
- Honorable Michael Gerber
- Honorable Gary Haluska
- Honorable Mark Longietti
- Honorable Jennifer Mann
- Honorable Tony Payton
- Honorable Joseph Petrarca
- Honorable John Sabatina, Jr.
- Honorable Dante Santoni, Jr.
- Honorable John Siptroth
- Honorable Timothy J. Solobay
- Honorable Ed Wojnaroski
- Honorable Richard Geist, Minority Chairman
- Honorable John Evans
- Honorable David Hickernell
- Honorable Mark Keller
- Honorable John Maher
- Honorable Ron Marsico
- Honorable Ron Miller
- Honorable Tina Pickett
- Honorable Jeffrey Pyle
- Honorable Mario Scavello
- Honorable Katharine Watson

KEY REPORTERS 717.764.7801

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1 IN ATTENDANCE:

2 Honorable George Kenney, Jr.  
3 Honorable Michael McGeehan

4

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6

ALSO PRESENT:

7

Stacia Ritter  
Majority Executive Director

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Bob Mustin, Esquire  
Majority Legal Counsel

9

10 Amanda Wolfe  
Majority Committee Secretary/Legislative Asst.

11

Mark Buterbaugh  
Majority Research Analyst

12

13 Eric Bugaile  
Minority Executive Director

14

Vickie Trostle  
Minority Committee Secretary/Administrative Asst.

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Adam Gingrich  
Minority Research Analyst

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Greg Grasm  
Minority Research Analyst

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1                   CHAIRMAN MARKOSEK: Good morning,  
2 everybody. Welcome to the State Capitol,  
3 Transportation Committee hearing this morning.  
4 We do not have a quorum, but that's okay. It's  
5 only a hearing, there's no votes taken so we  
6 can get started. I am going to ask  
7 Representative Payton to please lead us in the  
8 pledge of allegiance.

9                   (Pledge of allegiance off the  
10 record.)

11                   CHAIRMAN MARKOSEK: Thank you, Tony.  
12 Good morning, everybody. We'll have the  
13 secretary call the roll call, please.

14                   (Roll call off the record.)

15                   CHAIRMAN MARKOSEK: Thank you very  
16 much. Good morning, Representative Pyle.

17                   REPRESENTATIVE PYLE: Good morning,  
18 Mr. Chairman. It's a great day in the  
19 Commonwealth.

20                   CHAIRMAN MARKOSEK: We have today the  
21 Transportation Committee hearing on the red  
22 light camera program, which currently exists in  
23 Philadelphia. I don't have any lengthy opening  
24 remarks. I'll ask Chairman Geist if he has any  
25 opening remarks.

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1                   REPRESENTATIVE GEIST: Thank you very  
2 much, Joe. I'd just like to tell you the red  
3 light camera program has been very, very  
4 successful. I think the information that has  
5 come out has been done in a manner that we  
6 specified. I'm very pleased to have spent a  
7 bunch of time trying to develop this in a way  
8 that satisfies people all across the  
9 Commonwealth, and at the same time solves the  
10 problem of some terrible intersections in the  
11 City of Philadelphia and in the southeast.

12                   So I'm anxious to get on with the  
13 hearing. I know that you have a caucus early  
14 and other members have to leave. So, I would  
15 hope that those testifying would be succinct  
16 and to the point.

17                   CHAIRMAN MARKOSEK: Okay. Thank you,  
18 Chairman Geist. Representative Siptroth has  
19 joined us.

20                   We have two bills that we're really  
21 going to be talking about here this morning,  
22 House Bill 1559 by Representative Kenney and  
23 House Bill 1690 by Representative Payton who's  
24 a member of our committee. I do not see  
25 Representative Kenney here. We have a stand-in

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1 for Representative Kenney, Representative  
2 Geist, his champ. Representative.

3 REPRESENTATIVE GEIST: I'll yield  
4 until I get here.

5 CHAIRMAN MARKOSEK: Okay.  
6 Representative Payton, we'll have some comments  
7 from you.

8 REPRESENTATIVE PAYTON: Thank you,  
9 Mr. Chairman. I appreciate you holding this  
10 hearing to discuss these two important bills.

11 I'd just like to say, Roosevelt  
12 Boulevard is particularly problematic. It's a  
13 12-lane albatross, if you will. There's been  
14 five fatalities in the last four weeks. We  
15 need to do all we can to keep the city safe.  
16 So, thank you for holding this hearing.

17 We'll get more detailed analysis from  
18 the parking authority that's doing a good job  
19 running this program. The red light camera  
20 program definitely needs to be extended because  
21 we're having a lot of success. Thank you.

22 CHAIRMAN MARKOSEK: Okay, thank you.  
23 For the record, House Bill 1690, Representative  
24 Payton's bill, will extend the current program.  
25 Representative Kenney's bill, House Bill 1559,

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1 will permanently institute the program.

2           The first person to testify is Mr.  
3 Vince Fenerty from the Philadelphia Parking  
4 Authority. Thank you. Mr. Fenerty, when  
5 you're ready you may proceed.

6           MR. FENERTY: Thank you, Mr.  
7 Chairman, and members of the committee. First  
8 of all, I'd like to introduce to my left Staff  
9 Inspector Thomas Nestel from the Philadelphia  
10 Police Department. Inspector Nestel has done a  
11 study for the parking authority, an independent  
12 study regarding the red light camera program.  
13 If the members will go to the back of their  
14 binder, it's enclosed. It looks like  
15 this (indicating).

16           REPRESENTATIVE GEIST: I'd just like  
17 to say that I'm here now.

18           CHAIRMAN MARKOSEK: Representative  
19 Kenney has arrived, and I see Representative  
20 Petrarca, Representative Sabatina. Also  
21 Representative Longietti has arrived.

22           Sorry, Vince, we'll allow you to  
23 continue.

24           MR. FENERTY: I think everyone now  
25 has binders. As I was saying, Inspector Nestel



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1 did an independent study, which is in the back  
2 of the binder, regarding the red light camera  
3 program. At the end of my testimony Inspector  
4 Nestel will testify as to what his findings  
5 are, which I will mention in my testimony  
6 today. But it's a very good comparison of a  
7 red light camera intersection and a non-red  
8 light camera intersection, which are in very  
9 close proximity to each other.

10 For everyone who doesn't know me, I'm  
11 Vince Fenerty. I'm the Executive Director of  
12 the Philadelphia Parking Authority. I'd like  
13 to thank you for this opportunity to testify in  
14 support of two key pieces of legislation that  
15 will help us continue saving lives on one of  
16 our nation's most dangerous highways, Roosevelt  
17 Boulevard, also known as Route 1.

18 The parking authority was granted  
19 legislative authority in 2004 to implement the  
20 red light camera program in Philadelphia. Our  
21 mission was, and remains, to reduce accidents  
22 and traffic fatalities caused by speeding and  
23 running of red lights along Roosevelt  
24 Boulevard. Our goal is saving lives by making  
25 Roosevelt Boulevard a much safer highway for

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1 both motorists and pedestrians.

2           House Bill 1690, sponsored by  
3 Representative Payton, will allow us to  
4 continue operating the red light camera program  
5 until 2010. House Bill 1559, sponsored by  
6 George Kenney, would allow us to incorporate  
7 speed detection cameras into our Coordinated  
8 Safety Program for Roosevelt Boulevard, as well  
9 as giving the parking authority the option to  
10 select the best available technologies to meet  
11 our goals.

12           This bill would also allow us to  
13 install speed cameras in a dangerous  
14 drag-racing zone along Lindbergh Boulevard and  
15 Passyunk Avenue in Representative Donatucci's  
16 and Representative Waters' districts in  
17 Philadelphia. The evidence will show that at  
18 those intersections where red light cameras are  
19 in operation, we have had a dramatic impact on  
20 reducing the number of vehicles that run red  
21 lights on Roosevelt Boulevard.

22           I believe the red light camera  
23 program is a success. We have included in your  
24 binders letters from all 17 members of  
25 Philadelphia City Council attesting to the

0011

1 success of the red light camera program and  
2 their bipartisan support for both pieces of  
3 legislation before this committee today.

4 I must reiterate that all 17 members  
5 of Philadelphia City Council, both Democrats  
6 and Republicans, have agreed on something.  
7 It's something that is not common in  
8 Philadelphia, but Roosevelt Boulevard and the  
9 Lindbergh and Passyunk Avenue and drag-racing  
10 area are such killers that everyone is  
11 interested in our city council about saving  
12 lives and stopping what is going on.

13 I believe the success of the red  
14 light camera program can be directly attributed  
15 to the vision, the courage and the bipartisan  
16 support of members of the Pennsylvania  
17 legislature who worked together and took the  
18 much-needed action to address a serious problem  
19 that was destroying lives and families.

20 Members of this committee, both  
21 Democrats and Republicans, especially the  
22 Minority Chairman Rick Geist and former  
23 Democratic Chairman Keith McCall, were both  
24 instrumental in working with us and the prime  
25 movers of the original legislation,

0012

1 Representatives Kenney, Perzel and Taylor, to  
2 get this program up and running.

3           This committee, under Representative  
4 McCall's and Geist's leadership paid an on-site  
5 visit to our headquarters in January of 2006  
6 and took an on-site inspection of our red light  
7 camera operation on Roosevelt Boulevard. We  
8 hope that visiting tour was helpful and  
9 informative to the members of the committee.

10 And, Mr. Chairman, we extend the same open  
11 invitation to you and any other members of this  
12 committee who may want to come and visit us at  
13 any time.

14           We are proud of our past working  
15 relationship with this committee and the  
16 Pennsylvania legislature as a whole. Our  
17 partnership on the red light camera program is  
18 critical to the continued success of this  
19 vitally important life-saving program. We look  
20 forward to continuing our partnership under the  
21 new leadership of this committee.

22           The parking authority currently  
23 operates red light cameras at eight key  
24 intersections on Roosevelt Boulevard: Grant  
25 Avenue, Red Lion Road, Cottman Avenue,

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1 Southampton Road, Welsh Road, Rhawn Street,  
2 Levick Street and Mascher Street. All these  
3 red light locations are part of our  
4 comprehensive Coordinated Safety Plan for  
5 Roosevelt Boulevard.

6 We also operate at two intersections  
7 in south Philadelphia, one at 34th and Grays  
8 Ferry Avenue and one at Broad Street and Oregon  
9 Avenue.

10 I would like to direct your attention  
11 to an enlargement to my left with our  
12 Coordinated Safety Plan, which highlights all  
13 the intersections along Roosevelt Boulevard  
14 where we hope to continue operating red light  
15 cameras. It's over here (pointing). We also  
16 hope to incorporate speed detection cameras in  
17 our effort to deter speeding and red-light  
18 running.

19 In order to fully implement our  
20 overall Coordinated Safety Plan, passage of  
21 House Bills 1559 and 1690 is necessary. In the  
22 last month alone, there have been five  
23 fatalities on Roosevelt Boulevard at non-red  
24 light camera locations. There have been  
25 12 deaths on Roosevelt Boulevard since April of

0014

1 last year at non-red light camera locations.

2 I'd like to go off my testimony with  
3 some statistics which I received early this  
4 morning. Fatalities on Roosevelt Boulevard in  
5 2004 were 10; in 2005, 17. In 2006 were 11,  
6 and 2007 we're up to 12. None of these current  
7 fatalities were at any intersection which were  
8 controlled by red light cameras. The last five  
9 fatalities which happened within the last month  
10 were all the result of speeding along Roosevelt  
11 Boulevard.

12 In Representatives Waters' and  
13 Donatucci's district in southwest Philadelphia,  
14 fatalities on Lindbergh Boulevard, Passyunk and  
15 Essington, drag-racing areas, there were two in  
16 2006; one in 2007 attributed to speeding and  
17 drag racing. Fatalities on Lindbergh  
18 Boulevard, Passyunk Avenue and Essington Avenue  
19 in areas of non-drag racing, which would have  
20 speed -- we will put speed cameras we're one in  
21 2004, one in 2005, and one in 2006.

22 These statistics were provided by the  
23 Philadelphia Police Department, and drag-racing  
24 area was determined by 12th District police  
25 supervisors. I just wanted to add those

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1 statistics into my testimony because I think  
2 the loss of 56 lives, okay, is an astronomical  
3 amount of families being destroyed due to  
4 speeding in these areas.

5 I would like now to direct your  
6 attention to a number of enlarged charts, which  
7 all are also in the binders provided. The  
8 gentleman who is going to be pointing them out  
9 is Chris Vogler. He is our manager of the red  
10 light camera program.

11 Our first red light camera program --  
12 or red light camera was activated on February  
13 23rd, 2005, at the intersection of Grant Avenue  
14 and Roosevelt Boulevard. The first chart for  
15 this intersection shows that during the initial  
16 30-day period there were 2,498 red-light  
17 running violations recorded.

18 During the next 30 days there were  
19 3,046 red-light running violations. In the  
20 third month there were 3,600. In the fourth  
21 month it went up to 4,065. The next month when  
22 we started giving violations (sic) out, it  
23 went to 2,896, then 4,362, then 2,035.

24 For the 30-day period that ended in  
25 October 2005, eight months after the first

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1 cameras went into operation, there were only  
2 1,177 violations.

3           After this eight-month period we  
4 began seeing a substantial ongoing reduction in  
5 red right violations at Grant Avenue. This is  
6 because of a well-coordinated education program  
7 combined with the issuance of both warnings and  
8 actual tickets to violators which started to  
9 have a dramatic impact.

10           From November 23rd, 2005, until May  
11 22nd of this year, there were an average of  
12 570 red-light running violations recorded each  
13 month at this intersection. That's a reduction  
14 of 87 percent in red-light running in the first  
15 month. And I think you can see that on that  
16 chart how substantially it went down.

17           From the high point of 4,362  
18 violations in July and August of '05 to the low  
19 point of 296 violations in June and July '06,  
20 there was a 93 percent reduction in red-light  
21 running violations at this intersection.

22           The next chart which we will show is  
23 Red Lion Road. At this location there were  
24 1,702 violations at the Red Lion location  
25 during the violation high point in August of



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1 2005. For the six-month period covering  
2 November 2006 through May of this year, there  
3 was an average of 479 violations each month.  
4 This is a 72 percent reduction in red-light  
5 running at this intersection.

6 Red light violations at the Cottman  
7 Avenue intersection, which is the chart in back  
8 of Representative Kenney, at this intersection  
9 they declined 52 percent from its highest to  
10 lowest point. The reduction percentage was  
11 lower at this intersection because a large  
12 number of violations for vehicles were for  
13 making a right turn on red, which is  
14 prohibited. Drivers haven't gotten that yet.

15 A recent study by the Insurance  
16 Institute for Highway Safety confirmed that the  
17 number of cars running red lights at these  
18 three intersections has been substantially  
19 reduced. You can conclude that reducing  
20 speeding and red-light running on Roosevelt  
21 Boulevard can reduce accidents and save lives.

22 According to an analysis by  
23 Philadelphia Police Staff Inspector Thomas  
24 Nestel of accidents at the Cottman Avenue  
25 intersection, a red light-controlled

1 intersection, and Tyson Avenue, a non-red  
2 light-controlled intersection along Roosevelt  
3 Boulevard, concludes: If the goal of  
4 technology-enhanced intersections is to reduce  
5 crashes, injuries and property damage and red  
6 light violations, it would seem that Cottman  
7 Avenue and Roosevelt Boulevard serves as a  
8 success story.

9           Inspector Nestel concludes: That  
10 while crashes resulting in injury decreased at  
11 Cottman Avenue, crashes resulting in injury  
12 dramatically increased at Tyson Avenue.

13           While the percentage of crashes  
14 resulting in towing during the second year of  
15 the red light camera program decreased from  
16 nine percent to 2.3 percent at the Cottman  
17 Avenue intersection; crashes resulting in  
18 towing at the Tyson Avenue intersection  
19 increased from 4.4 to 7.9 percent. While  
20 crashes categorized as broadside incidents,  
21 also known as a T-bone accident, decreased at  
22 the Cottman Avenue intersection, the same  
23 category of crashes dramatically increased at  
24 Tyson Avenue.

25           By the second year of the red light

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1 camera program, crashes categorized as rear-end  
2 incidents were lower at the Cottman Avenue  
3 intersection than during the pre-red light  
4 camera period.

5           The Philadelphia Parking Authority  
6 would like to continue our partnership with the  
7 Pennsylvania legislature in an effort to save  
8 lives by making Roosevelt Boulevard both safer  
9 for motorists and pedestrians. We would like  
10 to continue running the red light camera  
11 program. We would also like to add speed  
12 detection technology to our program, as well as  
13 to have the option to choose the best available  
14 technologies to meet our goals.

15           In Great Britain, automated speed and  
16 red light enforcement reduced the percentages  
17 of vehicles exceeding the speed limit by  
18 58 percent. It reduced the number of persons  
19 killed or seriously injured by as high as  
20 65 percent, and it reduced personal injury  
21 accidents -- the accident rate by six percent.

22           Quoting from testimony given by  
23 Steven Oesch, and I hope I'm pronouncing that  
24 correctly, from the Insurance Institute for  
25 Highway Safety, which was done before the

1 Maryland Senate Judicial Committee hearing on  
2 automated speed enforcement, research from  
3 British Columbia demonstrates that speed  
4 cameras are an effective tool in helping to  
5 reduce speeding and saving lives.

6           Evaluating a program that involved  
7 30 cameras, researchers found a seven percent  
8 decline in crashes and up to 20 percent fewer  
9 deaths in the first year cameras were used.  
10 The proportion of speeding vehicles at camera  
11 sites declined from 66 percent in 1996 to fewer  
12 than 40 percent a year later.

13           Researchers also attributed a  
14 10 percent decline in daytime injuries to speed  
15 cameras. Although nearly 250,000 tickets have  
16 been issued, public support remains relatively  
17 high. Nearly two-thirds of those surveyed in  
18 British Columbia said they favor the program.

19           The Transportation Research Board and  
20 others have reported the following examples of  
21 the successful use of speed cameras:

22           In Victoria, Australia, they launched  
23 a speed camera program in 1989. A little more  
24 than a year later, 54 cameras were operating.  
25 The frequency of crashes involving injuries or

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1 deaths decreased by 30 percent.

2           On a stretch of the Autobahn between  
3 Cologne and Frankfurt, Germany, where speed  
4 cameras were deployed, total crashes dropped  
5 from about 300 a year to fewer than 30. That  
6 is a 90 percent reduction in speed-related  
7 crashes.

8           Speed cameras were deployed on  
9 64 roads in Norway, providing an overall  
10 20 percent reduction in injury crashes. The  
11 largest reduction was 26 and the smallest was  
12 five percent.

13           About 75 counties use cameras to  
14 supplement conventional police enforcement of  
15 speed limits, especially on high-risk roads.  
16 This technology is used in only about a dozen  
17 United States communities.

18           In 2002, the Institute for Highway  
19 Safety evaluated the effect of a city-wide  
20 speed camera program that began in 2001 in the  
21 District of Columbia. The program involved  
22 five vehicles equipped with cameras rotating  
23 among 60 enforcement zones in the city.

24           Researchers measured that speeds on  
25 seven neighborhood streets before cameras were

0022

1 deployed, and again at the same sites six  
2 months later after deployment. At all the  
3 sites the proportion of motorist going fast  
4 enough to warrant getting a ticket, more than  
5 10 miles over the speed limit, went down  
6 dramatically. Reductions ranged from 38  
7 percent to  
8 89 percent.

9 I would ask for your support on both  
10 House Bill 1559 and 1690 so that the parking  
11 authority, working in conjunction with the  
12 Pennsylvania legislature, can continue to save  
13 lives by reducing accidents and traffic  
14 fatalities from speeding and running red  
15 lights.

16 I'd like to thank Chairman Markosek  
17 and Chairman Geist and the members of this  
18 committee for their past support, and I'm open  
19 to any questions anyone may have.

20 But before questions I'd like  
21 Inspector Nestel to go over his report briefly  
22 for the members of the committee so they'll  
23 have a better understanding.

24 MR. NESTEL: Good morning, ladies and  
25 gentlemen. The study that I conducted for the

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1 parking authority was a comparative study.  
2 Rather than looking at the red light  
3 photo-enforced intersection and comparing it to  
4 the year before when it was not in place, I  
5 compared it to another intersection that was  
6 less than a half a mile away. I did this  
7 because other factors could change crash totals  
8 such as enforcement by police or engineering  
9 changes, weather conditions.

10 So what I did was, I looked at the  
11 changes, the fluctuations that occurred at  
12 Tyson and the Boulevard, which was not a red  
13 light photo-enforced intersection and compared  
14 it percentage-wise to the changes at Cottman  
15 Avenue.

16 In addition to conducting the  
17 comparative study, I believe that I conducted a  
18 very thorough evaluation of all the crashes  
19 that occurred at this location, because when a  
20 police report is written, the location is  
21 pretty much up to the officer. So if an  
22 accident occurs at Cottman and the Boulevard,  
23 the officer can note that the accident occurred  
24 at Cottman and the Boulevard, or he or she can  
25 note that it occurred at 2800 Cottman or

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1 2200 Cottman or 7200 Boulevard or  
2 7300 Boulevard. All those locations are  
3 Cottman and the Boulevard. So, in order to get  
4 a true picture of all the crashes that occur at  
5 that intersection, you actually have to look at  
6 nine different locations, and the same thing  
7 applied for Tyson.

8           The comparison, as Mr. Fenerty  
9 discussed, clearly showed that red light photo  
10 enforcement had a positive effect on making  
11 Cottman and the Boulevard a safer intersection.  
12 Thank you.

13           CHAIRMAN MARKOSEK: Okay, thank you.  
14 Also arriving since we took the roll is  
15 Representative Wojnaroski, Representative  
16 Watson, Representative Solobay, Chairman  
17 Marsico, Representative Gerber. Also I see in  
18 the audience, not a member of the committee,  
19 but welcome anyway, Representative McGeehan,  
20 and also Chairman Kenney has arrived.

21           I'd like to entertain questions now  
22 from the members. Are there any questions?  
23 Representative Geist.

24           REPRESENTATIVE GEIST: Vince, I think  
25 I probably already know the answer, but I would



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1 like to get it on the record here. One of the  
2 things that we've gotten since the very  
3 beginning is the fact that you had this drastic  
4 increase in rear-end collisions caused by  
5 people who jam on the brakes based upon not  
6 wanting to go through a yellow light. Would  
7 you respond to that and the statistics?

8           And then the other one is that, you  
9 somehow, using the black helicopter, have the  
10 ability to change the dwell time on the yellow  
11 light to make it just a little quicker so you  
12 can up the number of people cited. Would you  
13 respond to both of those, please?

14           MR. FENERTY: First, Chairman Geist,  
15 we have not seen a drastic spike in the  
16 rear-end collisions. I'm going to defer the  
17 answering of that question to Inspector Nestel  
18 who studied that.

19           MR. NESTEL: Chairman Geist, in my  
20 research I did find in other cities there is a  
21 pretty dramatic increase, at least initially  
22 when red light photo enforcement is implemented  
23 in rear-end collisions.

24           At Cottman and the Boulevard in the  
25 2004-2005 period prior to red light photo

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1 enforcement there were 26 rear-end collisions.  
2 In the first year of red light photo  
3 enforcement there was an increase to 29; and in  
4 the second year it decreased to 24, which was  
5 lower than the pre-red light photo-enforcement  
6 period.

7 MR. FENERTY: Chairman Geist, on the  
8 second question that we can shorten the yellow  
9 light, first of all, the Traffic Engineering  
10 Department from PennDOT and the City of  
11 Philadelphia Streets Department control the red  
12 light intersections. We, in fact, are in  
13 charge of the automatic camera system.

14 What was done initially in the  
15 60-day -- at that point the 120-day warning  
16 period, is, traffic engineering found, in fact,  
17 that the yellow light at the initial three  
18 intersections was short and they lengthened  
19 that yellow light by one second to give  
20 motorists additional time to clear the  
21 intersection.

22 So, the myth that the parking  
23 authority can control the yellow light is just  
24 that, it's a myth. Our engineers, we have no  
25 ability to touch that whatsoever.

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1                   CHAIRMAN MARKOSEK: Thank you.

2 Representative Pyle.

3                   REPRESENTATIVE PYLE: Thank you, Mr.

4 Chairman. Just a couple of questions. I'm

5 concerned about this technology. Is there any

6 potential for tampering or anything like that

7 on this technology?

8                   MR. FENERTY: No, Representative

9 Pyle. Mr. Chairman, I'd like to get up. I

10 brought some charts and some photographs to

11 explain the technology to answer those

12 questions should it arise.

13                   The technology which we currently

14 utilize under the statute is what's called wet

15 film 35 millimeter. We did a study along the

16 Boulevard. As you can see, what we did is, we

17 put a digital technology which is the newer

18 technology, more modern, a camera right next to

19 a standard wet film camera. This is what we

20 currently get, okay; some are clearer, some are

21 not. This is the exact photo that was taken at

22 the same time as this intersection.

23                   So what you have here is a clearer

24 picture of the car running the red light. And

25 what you're looking at is this vehicle here and

0028

1 here (indicating) is entering the intersection  
2 while the light is red. The same thing  
3 here (indicating), the car is going through the  
4 intersection while the light is red. This is a  
5 view of the actual tag number which is taken.  
6 You get the same thing, okay, from the wet  
7 film, but there would be many, many more  
8 rejections, which are people who are going  
9 through it which we get an unclear image. And  
10 if the image is not clear we can't do the  
11 citation.

12 I'd like to add that, each of these  
13 type of technologies are encrypted with data.  
14 It shows the time, where the intersection was,  
15 and they are tamper proof. When the actual  
16 photo was taken, the photograph, either with  
17 wet film or with digital technology, has  
18 encryptions on them.

19 How it works after that,  
20 Representative Pyle, is, it then comes through  
21 a system to the parking authority. A parking  
22 authority clerk, okay, will review it, make  
23 sure that the vehicle, indeed, did go through  
24 the intersection, and that the red light was  
25 red when it started through. That clerk will

1 then validate or invalidate the citation. If  
2 the clerk rejects it for whatever reason, it  
3 goes to a supervisor, and Christopher Vogler or  
4 the deputy manager of the department will  
5 validate that it's not a good citation.

6           With either technology at that point  
7 after it's validated as what we determine to be  
8 a good citation, it is electronically sent to  
9 the Philadelphia Police Department where an  
10 officer does exactly the same thing. That  
11 officer will validate it, if he finds it to be  
12 valid, and he is the issuing officer on the  
13 citation.

14           If the officer rejects it, it goes to  
15 his supervisor's cue where the police  
16 supervisor, at the rank of sergeant or above,  
17 will review it. And if he concurs that it's a  
18 bad picture or not good enough -- And by what  
19 could not be good enough is, if someone misread  
20 it or a P was made out to be an R or a 5 to an  
21 S, it would be knocked out, or for some reason  
22 it just wasn't a clear picture.

23           We have many nonclear pictures with  
24 the current technology we're using. With the  
25 digital the old proverb is, a picture says a

0030

1 thousand words. I think everyone can draw  
2 their conclusion on which technology is better.

3 REPRESENTATIVE PYLE: I'd like to  
4 follow up on a question Representative Marsico  
5 has brought up.

6 In the picture showing here, it  
7 appears a sedan or a coupe is pulling right in  
8 front of that truck. But yet, your picture  
9 isolates on the car next to the truck. If you  
10 have two running at the same time like it  
11 appears, does the camera differentiate?

12 MR. FENERTY: No. Let me answer the  
13 question. You don't have two running at the  
14 same time. The truck, which could be perceived  
15 as running, was already in the intersection at  
16 the time it concluded. This truck did not --  
17 in the left-hand turn lane and did not run the  
18 red light, so the camera does focus here. If,  
19 in fact, there are two, the cameras can pick  
20 two up. I don't have a copy with something  
21 like that.

22 But you'll see that it locks in on  
23 this (pointing). This truck was determined to  
24 be in the turning lane prior to the light  
25 turning red. And how that is determined,

0031

1 buried in the ground underneath the pedestrian  
2 crosswalks are the monitors, what they call the  
3 monitors. There may be another technical word  
4 for it. What are they called?

5 MR. VOGLER: Sensors.

6 MR. FENERTY: They're actually buried  
7 before the crosswalk, I'm sorry, where you can  
8 see right in here (pointing). The truck has to  
9 go over that with the lights red prior to the  
10 lights turning red. So in this case, okay, the  
11 truck was over it when it was green, the sensor  
12 for the camera did not lock onto the truck.  
13 That's why we don't have a violation for the  
14 truck.

15 REPRESENTATIVE PYLE: Just one more  
16 question, Mr. Chairman. Say somebody does run  
17 a red light, which we want to discourage, you  
18 said this goes through your process, digital  
19 enhancement, and then it bounces right into the  
20 police.

21 MR. FENERTY: Yes.

22 REPRESENTATIVE PYLE: And the person  
23 receives a summons from the police or the --

24 MR. FENERTY: When the officer  
25 validates it and issues a citation, an

0032

1 electronic citation goes out. With the  
2 electronic citation is included exactly the  
3 pictures which you would see here on their  
4 notice, photograph 1, photograph 2, photograph  
5 3. It's all actually on the notice, so the  
6 person being charged with the violation can  
7 view their car in the intersection and going  
8 through the red light.

9 CHAIRMAN MARKOSEK: We need to move  
10 along.

11 REPRESENTATIVE PYLE: Very  
12 informative. Thank you, Mr. Chairman.

13 CHAIRMAN MARKOSEK: Representative  
14 Payton.

15 REPRESENTATIVE PAYTON: I'll be very  
16 quick. So what happens when someone doesn't  
17 pay?

18 MR. FENERTY: What happens at that  
19 point is, they receive two notices to pay. If  
20 they don't pay, our city council has instituted  
21 a local ordinance where, in Philadelphia, if  
22 you fail to pay three parking violations it  
23 becomes where your vehicles are immobilized  
24 by -- (inaudible; voice trails off).

25 Our city council has deemed that if



0033

1 you don't pay a red light camera citation, that  
2 citation can be counted into the thread, so you  
3 could have two red light camera citations, one  
4 parking violation, any combination thereof.  
5 That remains on the boot list, okay, for at  
6 least -- You may want to do the list for at  
7 least seven years.

8           The parking authority is also in the  
9 process of instituting collections by a law  
10 firm who will be sending letters out and taking  
11 action against those individuals who are not  
12 paying. I believe the payment rate currently  
13 is --

14           A VOICE: 71.

15           MR. FENERTY: -- 71 percent of those  
16 violations which are issued are being paid.

17           REPRESENTATIVE PAYTON: Thank you  
18 very much.

19           CHAIRMAN MARKOSEK: Representative  
20 Costa.

21           REPRESENTATIVE COSTA: Thank you, Mr.  
22 Chairman.

23           Vince, I heard on a radio talk show a  
24 while ago about this guy that was selling a  
25 product that you spray paint your license

0034

1 plate. Although you cannot see it with the  
2 naked eye, your cameras cannot pick it up. Is  
3 that true? Have you seen anything or have any  
4 thoughts on -- (inaudible; voice trails off).

5 MR. FENERTY: We have seen that. I  
6 do believe that there is something in the  
7 state's statute which prohibits that or someone  
8 who sponsors something. That is more common  
9 using 35 millimeter technology. I believe it  
10 will get much better with the digital. Adam  
11 Tuton, our contractor, ATS, is here today. I'm  
12 sure he could answer that question a little  
13 better than I can, Representative.

14 CHAIRMAN MARKOSEK: Representative  
15 Watson.

16 REPRESENTATIVE WATSON: Thank you,  
17 Mr. Chairman. Question, or I guess on  
18 observation.

19 I live in Bucks County and I do  
20 business, and this is somewhere back in the  
21 district. But I have occasion both on personal  
22 business and actually for various meetings to  
23 come to Philadelphia, particularly using  
24 Roosevelt Boulevard. So I suggest to you, I'm  
25 a very infrequent driver of the Boulevard and,

0035

1 quite personally, I'd like to keep it that way.

2 It's a tough place to drive.

3           But what I wanted to say was, I was  
4 just there I guess a week ago for a meeting  
5 and, in fact, several of the members here also  
6 attended the very same meeting. I was struck  
7 by the fact coming through the intersection how  
8 far back we warn people --

9           MR. FENERTY: Right.

10           REPRESENTATIVE WATSON: -- so it's  
11 not as if -- And we get e-mails and things from  
12 people that somehow (inaudible word) and  
13 somehow it's all a secret thing that we're  
14 doing or the city is doing to get money.

15           I guess what struck me first was,  
16 certainly there are a lot of signs, and again,  
17 I'm referring as an infrequent driver in the  
18 area. If you want to talk signage, there's  
19 lots of signs for everything. But this is  
20 plain and clear. You're coming up to this  
21 intersection, the technology is being used.  
22 And I thought to myself, well--my words, just  
23 mine alone--I would be dumber than dumb to do  
24 that. You're telling me what's going to  
25 happen. It's as if a police officer is

0036

1 standing there and going, I'm just going to see  
2 if you're paying attention and I'm going to go  
3 through anyway.

4           So I guess from all the reading that  
5 I've done, you still wonder a little bit, are  
6 you sure these are all right? Listening this  
7 morning to some of the specifics with questions  
8 and telling me that I do drive Boulevard  
9 infrequently, but watching what goes on and  
10 seeing the difference, without your statistics  
11 I could tell you as the infrequent driver it  
12 made a difference in the trips I make down  
13 there, which, I don't know, six, eight times  
14 maybe in a year. I've noticed a decided  
15 difference.

16           And I applaud you for what you're  
17 doing. And if it saves lives, that's terrific.  
18 Who knows, it might save mine one day, so thank  
19 you.

20           MR. FENERTY: Thank you very much.  
21 For those members of the committee, I neglected  
22 to say earlier, this sign that's sitting in  
23 back of Representative Watson--Chris, can you  
24 hold that up so everyone can see it?--these are  
25 the signs that are posted on the Boulevard.

0037

1 These are the signs that are posted along the  
2 Boulevard, okay, prior to each red light  
3 camera.

4 The original statute calls for each  
5 intersection to be posted that a red light  
6 camera is being enforced there. But there was  
7 no size, okay, so we could make a little -- a  
8 small little sign and put it up. When we did  
9 the signs--It wasn't just us, it was  
10 Philadelphia Traffic Engineering and PennDOT--  
11 this is the size of sign which was decided on  
12 so entrapment issues would not be addressed.

13 CHAIRMAN MARKOSEK: Representative  
14 Longietti.

15 REPRESENTATIVE LONGIETTI: Just a  
16 quick question. The violations, are they  
17 strictly enforced through the parking authority  
18 by way of a fine, or is there also a violation  
19 of the vehicle code?

20 MR. FENERTY: Representative, it's  
21 strictly a fine. The statute calls for no  
22 points. The statute says, there are no points  
23 assessed to anyone's driver's license. It's  
24 strictly a fine.

25 REPRESENTATIVE LONGIETTI: Just to

0038

1 clarify, if somebody fails to respond to the  
2 fine, their driver's license is not suspended  
3 by PennDOT for failure to respond to the  
4 citation?

5 MR. FENERTY: That's correct.

6 CHAIRMAN MARKOSEK: Thank you, Mr.  
7 Fenerty. We appreciate it. I don't see any  
8 other questions. Thank you very much.

9 I'd like to move on to the next  
10 testifier, Adam Tuton with the American Traffic  
11 Solutions, Inc., manufacturer of the  
12 technology. Adam, whenever you're ready.

13 MR. TUTON: A copy of my remarks are  
14 in your yellow folders in front of you.

15 CHAIRMAN MARKOSEK: I would ask all  
16 the testifiers to streamline as much as they  
17 can because we are running a little bit behind  
18 time.

19 MR. TUTON: Mr. Chairman and members,  
20 thank you for having me here. So, quickly to  
21 walk through technology and a little bit of  
22 background in about five minutes

23 Historically, red light cameras and  
24 photo enforcement that have been operated from  
25 the 1950's to 1995 was film. Between 1996 and

0039

1 2002, there's been a transition between film  
2 technology and digital technology. You've seen  
3 that in your private lives with digital  
4 cameras. Since 2003, effectively then digital  
5 only because the technology is advanced.

6           Nationwide there are several hundred  
7 cities using digital cameras for photo  
8 enforcement, red light cameras. There are  
9 probably fewer than 20 camera programs that  
10 have film only, like the program in  
11 Philadelphia. Comparable cities that have  
12 digital that are large cities are most of the  
13 major cities in the U.S.: New York City, L.A.,  
14 Phoenix, Tucson. You can see them on the list.

15           With film technology the current  
16 challenges are that the film is becoming  
17 extinct, it's harder to get. Many of the film  
18 companies have stopped making film. Kodak will  
19 not guarantee that we can get film in the  
20 future.

21           Companies that make film processing  
22 have no more demand for film-processing kits,  
23 so parts and service are harder to get.  
24 Traffic camera film is not standard film you  
25 get off the street, so it has to be custom made

0040

1 and cannot be kept around. There's no  
2 guarantees. There's limited demand for it, no  
3 guarantee in the future of film for the  
4 program.

5           The advances of digital are speed of  
6 processing. They're immediately available.  
7 Instead of having to wait up to a week or two  
8 weeks to get a ticket out, the notices can go  
9 out faster. The people receiving them can have  
10 better recall, they can get them more  
11 instantly.

12           We have much better image clarity.  
13 As you can see with the exhibits, there's just  
14 absolutely no comparison between the film and  
15 digital.

16           Today we have the highest resolution  
17 cameras available. There's no more exposure  
18 issues in terms of handling light leaks,  
19 rippage, tearing, and there's no manual records  
20 to keep. Since it's all electronic, you have  
21 an electronic file from the image, the time  
22 it's captured, all the way through the  
23 issuance.

24           Because you have better performance,  
25 you're going to have a better and safer and



0041

1 fairer program to the community.

2           The current digital cameras capture  
3 five images per second; whereas, film only  
4 captures two. As one of the other members  
5 mentioned, if there are two violations  
6 occurring at the same time, these new cameras  
7 will catch them.

8           Simpler chain of custody profiles.  
9 Since it's all electronic, it's all stored in  
10 the data base. No human hands ever touch these  
11 images, as opposed to film, which has to be  
12 transported. So from a chain of evidence image  
13 security standpoint, it's a better approach.

14           This is what a camera system looks  
15 like if it's digital, very simple. It's a  
16 camera, a strobe unit, the detection system in  
17 the ground and the control. The images have  
18 better information on them. It has clearer  
19 information about the location of the  
20 violation, the time of the violation, and it's  
21 easy to read for the violator.

22           As you can see, we have some samples.  
23 This is a film image set, and then the same set  
24 for digital; much better recall. You can see  
25 the intersection better, you can read the signs

0042

1 better, and their license plates are clearer.

2           Speed cameras, the technology  
3 overview has been used for 40 years worldwide.  
4 Currently operational, have been operational in  
5 the U.S. since 1987, used in seven or eight  
6 states. Significant reductions in collisions,  
7 injuries, and fatalities wherever they're used.

8           There's three general types:

9 Intersection speed control, which is both speed  
10 and red light at an intersection; the mid-block  
11 fixed speed camera for places like the  
12 Boulevard; or a speed over time and distance  
13 system that's over a longer distance.

14           This is what a camera looks like,  
15 superimposed sensors may look like in the  
16 ground, how it looks. This is a set of images  
17 from a fixed-site speed camera. It takes two  
18 shots of the violation and the license plate,  
19 same type of detail as the red light camera.

20           Time over distance takes pictures  
21 over an entry point and an exit point over a  
22 longer distance. And this is what those  
23 cameras look like (indicating).

24           Any questions?

25           CHAIRMAN MARKOSEK: Thank you.

0043

1 Representative Ron Miller from York County has  
2 arrived. Representative, welcome. Any  
3 questions?

4 (No response.)

5 CHAIRMAN MARKOSEK: Very good  
6 testimony. Thank you, we appreciate it. We  
7 all have your testimony. Representative  
8 Sabatina.

9 REPRESENTATIVE SABATINA: Say, if  
10 hypothetically, the speed limit is 50, and  
11 somebody is doing 51, what is the --

12 MR. TUTON: What is the typical  
13 threshold?

14 REPRESENTATIVE SABATINA: Yes.

15 MR. TUTON: The typical thresholds  
16 range based on the speed limit at the site, and  
17 we work with the traffic engineers, but we  
18 don't set those. It's a policy based on the  
19 police and the traffic engineers.

20 So, usually there's a wide grace  
21 margin of at least, in school zones it may be  
22 five miles an hour. It may not be any at all.  
23 In normal zones it's probably going to be  
24 around 10 miles an hour. So no one is going to  
25 get a ticket at 51 when the speed limit is 50.

0044

1 REPRESENTATIVE KENNEY: Mr. Chairman.

2 CHAIRMAN MARKOSEK: Chairman Kenney.

3 REPRESENTATIVE KENNEY:

4 Representative, the legislation is, if you're  
5 six miles over the speed limit in the  
6 legislation.

7 REPRESENTATIVE SABATINA: Thank you.

8 CHAIRMAN MARKOSEK: What is the speed  
9 limit along Roosevelt Boulevard?

10 REPRESENTATIVE KENNEY: 45 miles per  
11 hour. And it is a designated highway safety  
12 corridor by PennDOT, so fines are double.

13 CHAIRMAN MARKOSEK: So those  
14 graduated speeds, you say 20 miles over you're  
15 going 65 -- (inaudible; voice trails off).

16 REPRESENTATIVE KENNEY: Yes.

17 CHAIRMAN MARKOSEK: Thank you, Mr.  
18 Tuton.

19 Our next testifier is Stephen Oesch,  
20 of the Insurance Institute for Highway Safety.

21 MR. OESCH: Thank you very much, Mr.  
22 Chairman.

23 CHAIRMAN MARKOSEK: Did I pronounce  
24 that correctly?

25 MR. OESCH: Yes, sir, you did. Thank

0045

1 you. I appreciate that.

2 CHAIRMAN MARKOSEK: You may proceed.

3 MR. OESCH: Mr. Chairman, I would ask  
4 that the two written statements I have be  
5 accepted into your record. And I've also  
6 provided committee members with the slides of  
7 the Pow-R point. I'd like to just very quickly  
8 go through that.

9 The institute has done a number of  
10 pieces of research on intersection safety. One  
11 of the studies that we did looked at what were  
12 the leading causes of injury crashes in urban  
13 areas. And what we found is, over a quarter of  
14 all those crashes were caused by running  
15 traffic lights at intersections.

16 If you look on a national basis,  
17 which you'll see as shown here in 2005, the  
18 last year in which we had full statistics,  
19 there are over 192,000 crashes related to  
20 red-light running. Regrettably, over 800  
21 people were killed in those crashes.

22 If you look at who was killed in the  
23 crashes, more than 50 percent of those people  
24 were the innocent victims. That is, they were  
25 either the pedestrian or the person in the

0046

1 vehicle that was struck by the red-light  
2 running.

3           Why should we be concerned about red  
4 light crashes? This is a crash that we did at  
5 our vehicle research center near  
6 Charlottesville, Virginia. You'll see a  
7 full-sized pickup moving at just 32 miles an  
8 hour, so that's much less than the speed that's  
9 on Roosevelt Boulevard, striking another  
10 vehicle going at 15. So you can think of the  
11 Volvo as being the vehicle coming out with the  
12 green light. Here it comes and is struck by  
13 the red light runner on the side. We'll see  
14 this in slow motion, first from the top, the  
15 vehicle being struck. Again, this is only  
16 moving at 32 miles an hour.

17           Let's look at the inside. That's the  
18 driver, the head raises against the intruding  
19 hood of the vehicle, and watch what happens to  
20 the rear-seat passenger in this vehicle. The  
21 head is directly hit by that intruding hood of  
22 the striking vehicle. That is most certainly a  
23 fatal head injury. So that is what we're  
24 trying to prevent, the so-called T-bone crash.

25           We've done research both in Virginia

0047

1 and California that shows that the cameras help  
2 reduce the number of violations, going to a  
3 point, Representative Watson. We've also seen  
4 decreases in non-camera sites. If you  
5 publicize the fact that camera enforcement is  
6 out there, you can help decrease red light  
7 violations both at camera sites and non-camera  
8 sites. Here I think is a single most important  
9 slide.

10           We looked at what were the crash  
11 reductions after the red light cameras were  
12 installed, and particularly that front-to-side  
13 crash of injury, the crash that I just depicted  
14 in the video that we saw. We saw a substantial  
15 reduction in those crashes, the so-called  
16 T-bone crashes. That's what we're trying to  
17 achieve.

18           You've heard the director refer to a  
19 study we've done here in Philadelphia. We  
20 looked at what was the effective increase in  
21 yellow signal timing and also the effect of  
22 putting in the red light camera enforcement.  
23 The yellow signals were changed. They were  
24 lengthened, as the director explained in  
25 December 2004, and we measured what were the

0048

1 number of violations before those yellow lights  
2 were changed and what were the number of  
3 violations afterwards. Then once camera  
4 enforcement began in July of 2005, we also  
5 measured the violations.

6           Again, the director mentioned the  
7 changes in the yellow light and what we see is,  
8 in fact, there was an increase of one second at  
9 both of the intersections on Roosevelt  
10 Boulevard of that study.

11           There was also a substantial amount  
12 of publicity about the implementation of this,  
13 and that's important. Because, the combination  
14 of the signage and the publicity, it allows the  
15 community to know that red light cameras  
16 enforced, it's going to help deter people from  
17 red-light running. And that's exactly what we  
18 saw here.

19           We're looking at the six  
20 intersections we measured along Roosevelt  
21 Boulevard. In the blue bar are the number of  
22 violations before the red light cameras and  
23 yellow lights where timing went in place. The  
24 yellow bars are where the reductions in  
25 violations because of the increased timing of



0049

1 the lengthening of the yellow signal.

2           And the red bars, those are the  
3 decreases, or the number of violations that  
4 occurred once we began -- once red light camera  
5 enforcement began. So you can see there was a  
6 drop because of the change in the yellow signal  
7 timing, but then an even more dramatic drop  
8 with the implementation of the red light  
9 cameras.

10           Turning our attention to the issue of  
11 speed, we did an evaluation of what happened in  
12 Washington D.C. when they implemented photo  
13 radar in that community, and we compared it  
14 with Baltimore, Maryland, a comparable city  
15 which didn't have any photo radar in place.  
16 What you see in the blue bars is before the  
17 implementation of the photo radar and the gold  
18 bars afterwards that you see at each one of the  
19 camera sites. You saw a decrease in the mean  
20 speeds. It was up and down in Baltimore in  
21 comparison.

22           But most importantly, if you looked  
23 at the number of vehicles that were traveling  
24 11 miles or more above the speed limit, what  
25 you saw is that a dramatic decrease at each one

0050

1 of the sites in Washington D.C. where you  
2 had -- once you began the photo radar. In  
3 comparison when we looked at Baltimore, in most  
4 of those sites the actual number of people  
5 going faster than 11 miles an hour increased.

6 We looked at public opinion. And  
7 what you can see, that overall, 51 percent of  
8 the people within Washington, D.C. favored the  
9 use of the photo radar.

10 And then finally, you've heard  
11 testimony on this, but just to quickly  
12 summarize. If you look throughout the world at  
13 experiences where other communities, other  
14 countries, have implemented photo radar  
15 technology, what you'll see, as shown in this  
16 chart, is, in each of those communities they  
17 saw a reduction in crashes.

18 Mr. Chairman, I thank you very much  
19 for the opportunity to be here and present this  
20 information. I'd be very pleased to answer any  
21 questions that you or other members of this  
22 committee might have concerning our research.

23 CHAIRMAN MARKOSEK: Thank you very  
24 much. Graphic testimony spoke a thousand  
25 words, so to speak.

0051

1 MR. OESCH: Thank you.

2 CHAIRMAN MARKOSEK: Very good. Any  
3 questions from the members? Representative  
4 Payton.

5 REPRESENTATIVE PAYTON: I don't have  
6 any questions.

7 MR. OESCH: Thank you very much.

8 CHAIRMAN MARKOSEK: Thank you very  
9 much. We appreciate it.

10 Catherine Rossi, Mid-Atlantic  
11 Triple A.

12 MS. ROSSI: Good morning, Chairman  
13 Markosek, Chairman Geist, other members of the  
14 committee. My name is Cathy Rossi, and I'm  
15 Public Affairs Manager for Triple A  
16 Mid-Atlantic.

17 Triple A, as you know, was founded on  
18 the principles of highway safety more than  
19 100 years ago. We know that every year in the  
20 United States more than 5,000 pedestrians die  
21 after being struck by automobiles. And last  
22 year in Pennsylvania there were 4,600  
23 pedestrian crashes which resulted in about 170  
24 deaths. Many of these deaths happened because  
25 motorists were running red lights or speeding.

1                   Inevitably, we will likely see more  
2 deaths unless we are proactive about doing  
3 something. Partly because, as Triple A  
4 believes, we have a number of societal factors  
5 on a virtual collision course. As individuals,  
6 we're buying more cars and congestion is  
7 getting worse. As a society, we're encouraging  
8 more walkable communities. We're encouraging  
9 mass transit, often involving walking to bus  
10 stops, trains or trolleys.

11                   We're also seeing an influx of many  
12 immigrants, new arrivals from cultures where  
13 pedestrian are truly given the right of way;  
14 not necessarily so in this country. No matter  
15 who is at fault when a driver hits or injures  
16 or kills a pedestrian, especially a child, it  
17 becomes a life-altering event.

18                   Slowing down drivers and preventing  
19 motorists from running red lights we believe  
20 will save lives and injuries. Triple A  
21 strongly supports expansion of the red light  
22 camera program to include speed photo radar.  
23 Cameras are a deterrent.

24                   We acknowledge and appreciate the  
25 safeguards that have been incorporated into the

0053

1 authorizing legislation. Part of the reason  
2 that the red light program has been so  
3 successful publicly in Philadelphia is that,  
4 unlike some other jurisdictions across the  
5 country, the legislation that authorized the  
6 Philadelphia program contained many appropriate  
7 safeguards protecting motorists.

8           We believe the speed camera  
9 legislation does exactly the same thing. It  
10 models the red light camera program with strict  
11 and specific standards of operation. It calls  
12 for those posted warning signs that tell  
13 motorists that speed cameras are present. It  
14 calls for an evaluation of how well the program  
15 is working, and for public disclosure of the  
16 number of violators. Penalties for violating  
17 motorists are appropriate.

18           We believe it's important that camera  
19 vendors, and as legislation mandates, the  
20 camera vendors are paid flat fees that in no  
21 way correlate to the number of citations  
22 issued. Those are all safeguards important to  
23 Triple A and important to motorists.

24           Safety, not revenue enhancement, is  
25 the primary motivation for operation of red

0054

1 light and speed cameras. In our view, this  
2 expansion enhances our electronic safety  
3 toolbox. And, our recent polls of motorists in  
4 Pennsylvania indicate public support for speed  
5 cameras.

6 In a Triple A poll that was done in  
7 the Philadelphia five-county region late last  
8 year, we found an overwhelming majority,  
9 74 percent of those surveyed said yes, police  
10 in Pennsylvania should use speed cameras on  
11 neighborhood streets, and another 67 percent  
12 said yes, police in Pennsylvania should use  
13 speed cameras on highways and major roads.

14 Be it speed cameras or red light  
15 cameras, the purpose of automated enforcement  
16 is not to catch people in the act of speeding  
17 or running a red light, and certainly, it's not  
18 enhancing city or state coffers. The purpose  
19 is to slow motorists down or stop them from  
20 running the red lights in the first place in  
21 order to prevent crashes from occurring.

22 So with the safety of our motorists  
23 and our pedestrians as our primary  
24 consideration, we urge you to vote for House  
25 Bills 1559 and 1690.

0055

1                   And I thank you for the opportunity  
2 to address you today.

3                   CHAIRMAN MARKOSEK: Thank you. Any  
4 questions from the members?

5                   (No response.)

6                   CHAIRMAN MARKOSEK: Thank you very  
7 much, Cathy.

8                   Our last, but certainly not least,  
9 Deborah Musselman, Pennsylvania Newspaper  
10 Association. Deborah, you may begin.

11                   MS. MUSSELMAN: Good morning,  
12 Representative Markosek, Representative Geist,  
13 and members of the Transportation Committee. I  
14 am Deborah Musselman with the Newspaper  
15 Association. We're a trade association in  
16 Harrisburg. We represent approximately  
17 330 newspapers in Pennsylvania.

18                   We're very happy to have this chance  
19 to submit our news on this important program  
20 that you have instituted in Pennsylvania. We  
21 think that our suggestions would improve your  
22 ability and that of the public to evaluate this  
23 system and increase public confidence in this  
24 traffic enforcement tool.

25                   Our concerns pertain to language in

0056

1 Section 3116(e)(3) which provides, in part,  
2 that all information relating to the use of red  
3 light cameras must be held, quote, for the  
4 exclusive use of the city and its authorized  
5 agents, its employees and law enforcement  
6 officials for the purpose of discharging their  
7 duties. The information shall not be deemed a  
8 public record under the Right-to-Know Law.

9           As you know, traffic citations and  
10 offenses are public records in Pennsylvania.  
11 They are judicial records. The intersections  
12 that are specified in this legislation are  
13 public roadways. And we think that everyone  
14 has an interest in assessing the system's  
15 reliability and efficiency in the fairness of  
16 its use and other related issues. Opening up  
17 information about the operation of these  
18 cameras can only foster confidence that they're  
19 being used fairly and appropriately.

20           Additionally, in light of the current  
21 and ongoing efforts that began early this  
22 session in both chambers to bring a new and  
23 better open records law to fruition, we would  
24 request that this inappropriate provision of  
25 Title 75, that is, specific language which



0057

1 states it's not subject to open records, be  
2 stricken, in the broad public interest, as you  
3 proceed with reauthorization of the red light  
4 cameras program in the weeks and months ahead.

5 We appreciate your attention and  
6 interest. I'd be happy to try to answer any  
7 questions that you may have.

8 CHAIRMAN MARKOSEK: Thank you. If  
9 I'm not mistaken, I believe at least one of the  
10 bills, if not both, do have provisions for  
11 information. Is that --

12 MS. MUSSELMAN: You're right, Mr.  
13 Chairman, they do address that. They continue  
14 some of the work that was done last session  
15 with legislation that Representative Geist and  
16 Representative McCall had sent over to the  
17 Senate. But we would like to see it go  
18 farther.

19 CHAIRMAN MARKOSEK: Okay. If you  
20 want to submit some language to us to consider,  
21 if that's okay.

22 MS. MUSSELMAN: Okay. We'll be happy  
23 to do that and to sit down with you to continue  
24 working on this.

25 CHAIRMAN MARKOSEK: Representative

0058

1 Geist.

2           REPRESENTATIVE GEIST: One of the  
3 questions that I have is the ethics in the  
4 media. You want open laws; we want open laws,  
5 but you can take information that's gathered by  
6 a red light camera and report it totally  
7 erroneous because you're citing the vehicle  
8 owner, not the driver. How do you --

9           MS. MUSSELMAN: That determination --

10           REPRESENTATIVE GEIST: How do you  
11 protect that person? Say Governor Rendell's --  
12 somebody has borrowed his car and runs that  
13 light. The Philadelphia Inquirer tomorrow can  
14 run a headline, Rendell runs light.

15           MS. MUSSELMAN: Well, they can do  
16 that, sir, you're right about that.

17           REPRESENTATIVE GEIST: We've seen  
18 illustration after illustration lately in the  
19 United States of, I think absolute misuse of  
20 the media's ability to be objective. I think  
21 that we all look at the New York Times as being  
22 the Mecca of all newspaper reporting. And yet,  
23 I think what they did with General Petraeus was  
24 absolutely, absolutely as low as you can go,  
25 and it cut their advertising rate to nothing,

0059

1 to help perpetuate that. We're seeing more and  
2 more and more of that.

3 So, how do we as legislators go about  
4 the business of having all the open records,  
5 which I want, and at the same time knowing that  
6 you and the media are not going to misuse the  
7 information in ways that injure people?

8 I think there's a balance, and  
9 somehow you have to have a balance with this.  
10 I thought the Petraeus stuff was absolutely as  
11 low as I've seen anything in 30 years.

12 MS. MUSSELMAN: Well, we would be  
13 happy to sit down with you and look at specific  
14 language on this legislation.

15 You know, as far as this particular  
16 legislation is concerned, there was some  
17 discussion a little while ago about the fact  
18 that no points are -- It specifically states  
19 that you don't get points for paying up and  
20 committing a violation under this section of  
21 Title 75. That means you don't get your  
22 license suspended.

23 Now, why somebody would have an  
24 expectation of privacy on a public roadway when  
25 they're breaking the law, I don't get it. So,

0060

1 as I said, we would be happy --

2 REPRESENTATIVE GEIST: We have a case  
3 in Pennsylvania where an officer has to  
4 absolutely be able to identify the person in  
5 the vehicle to charge the vehicle. Now, we  
6 have tried this in work zones, we know it will  
7 be thrown out. Every district justice in  
8 Pennsylvania would do it. So this is a  
9 compromise where we fine a vehicle and we don't  
10 do points. There's a tremendous amount of work  
11 that has gone into this in the State of  
12 Pennsylvania.

13 I just don't believe that you should  
14 be able to skewer somebody, especially the  
15 owner of the vehicle if they had no complicity  
16 at all in that vehicle's participation in  
17 something. I would hope that somehow we get  
18 balance and have balance, especially how  
19 information is used or misabused in the public.  
20 I've never been as conscious of this as I have  
21 been just recently.

22 MS. MUSSELMAN: I understand, and I  
23 think we all want to see that balance too.  
24 This has been a fascinating hearing for me.

25 You may recall, Rick, 20 years ago my

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1 children and I were in a side-impact accident  
2 such as the gentleman showed a few minutes ago.  
3 Fortunately, it wasn't one of the trucks or  
4 SUVs that are on the road now. It was a sports  
5 car, but he still rolled my Volvo wagon and my  
6 kids and I were all knocked out, I had crushed  
7 ribs. So, this is something that I think  
8 everyone has an interest in.

9 I really appreciate your listening to  
10 our views.

11 CHAIRMAN MARKOSEK: Thank you.  
12 Representative John Maher has joined us.  
13 Thank you.

14 MS. MUSSELMAN: Thank you.

15 CHAIRMAN MARKOSEK: Do you have any  
16 questions by the -- any other questions?  
17 Representative Maher.

18 REPRESENTATIVE MAHER: You were  
19 speaking about expectations or rights of those  
20 who are violating the law. May I ask you,  
21 beyond the presumption of guilt that evolves,  
22 what about the other vehicles in these  
23 pictures? Is it anybody's business where those  
24 people were at that moment in time?

25 MS. MUSSELMAN: That's not something,

0062

1 really, that I think we looked at or talked  
2 about or -- really before us today. I'm  
3 sorry --

4 REPRESENTATIVE MAHER: The pictures  
5 become public record, that is certainly a  
6 consequence. I would appreciate if you guys  
7 would give it some thought and share those  
8 thoughts with us.

9 MS. MUSSELMAN: The photographic  
10 evidence is really not what we're talking about  
11 in this case, Representative. But, as I said,  
12 we would be happy to sit down with you and  
13 really try to hammer out language that  
14 satisfies everyone.

15 CHAIRMAN MARKOSEK: Representative  
16 Geist.

17 REPRESENTATIVE GEIST: Just quickly.  
18 Do you still -- I mean, there was a request  
19 made. I know that they came after me about it  
20 because they didn't like the law. Do you still  
21 want to publish all the names of the people who  
22 have been cited for camera violations? Now  
23 that was asked of me of a reporter, so I'm not  
24 making that up.

25 MS. MUSSELMAN: You know, I can't

0063

1 speak to the projects that any particular  
2 papers may be working on at this point.

3 REPRESENTATIVE GEIST: It goes back  
4 again to the right of privacy. Every rental  
5 car company, you would have to go back and find  
6 out who rented that car that was cited. Every  
7 private vehicle you almost have to find out  
8 who's driving it rather than the owner.

9 I mean, you're really putting a  
10 tremendous onus on people who aren't there,  
11 they weren't at that site, but their vehicle  
12 was. That takes a lot of explanation. I guess  
13 if you're named in the Philadelphia Inquirer,  
14 you're automatically guilty. So, you know,  
15 we've got to balance all of this.

16 We spent a tremendous amount of time  
17 trying to think these things through. And I  
18 was really pleased to work with some awfully  
19 fine people in Philadelphia as we crafted this,  
20 but that freedom of information is a wonderful  
21 thing if it's used right. If it's abused, then  
22 you really hurt and bruise individuals. That's  
23 my question about all this.

24 I think that this debate, especially  
25 over the New York Times in the last couple

0064

1 weeks, is going to really go through journalism  
2 schools and everywhere else on the ethics of  
3 all this. But somehow you've got to balance  
4 people's rights out against the public's  
5 ability to be skewered by the media that may  
6 have a different agenda. That's something that  
7 we all have to do.

8           There are ethics and rules to make us  
9 moral. And I don't believe that it is moral  
10 ever, ever to take something out of context and  
11 run it across the front page of a newspaper or  
12 a TV show or a radio talk show. People's lives  
13 get destroyed and that's the way it is.

14           So, you in your industry and we in  
15 our industry have to find a way to make the  
16 common good work.

17           MS. MUSSELMAN: Thank you.

18           CHAIRMAN MARKOSEK: Representative  
19 Sabatina.

20           REPRESENTATIVE SABATINA: I was just  
21 curious. Representatives Maher asked if you  
22 wanted access to the pictures, and  
23 Representative Geist said, is it your intention  
24 to publish the violators? Maybe I don't  
25 understand. What is it exactly that you want



0065

1 information on if it's not necessarily those  
2 two things?

3 MS. MUSSELMAN: If someone gets a  
4 citation and pays the fine when he's gone  
5 through a red light because an officer pulled  
6 him over, that citation is subject to some  
7 disclosure that these citations are not subject  
8 to because of the judicial records component.

9 Now, I'm not an attorney and we would  
10 be happy to sit down with you and track through  
11 the specific differences, but as Representative  
12 Geist has pointed out, the camera takes a  
13 picture of the license plates and not the  
14 driver. That's one of the concerns about  
15 privacy, or specific identification is an  
16 issue.

17 So, that's the specific difference  
18 between, I guess you could say, this body of  
19 law and other traffic violations. And we  
20 recognize that there is a difference and we're  
21 willing to work with you.

22 REPRESENTATIVE SABATINA: I guess my  
23 question is, is that really newsworthy if a  
24 representative in Pennsylvania -- If Joe Blow  
25 runs a red light or Representative Sabatina

0066

1 runs a red light, how, you know -- I don't see  
2 I guess where that's newsworthy or where that  
3 should even come into context. How is that  
4 important to anything?

5 MS. MUSSELMAN: Someone who  
6 repeatedly runs a red light, if he gets pulled  
7 over he will eventually start racking up points  
8 and his license will be suspended. Whether you  
9 consider that newsworthy, maybe it is, maybe it  
10 isn't.

11 REPRESENTATIVE SABATINA: Without  
12 trying to incriminate myself, I have mistakenly  
13 run red lights in my life. I don't know if you  
14 have accidentally gone through a yellow. I  
15 just think we're meddling here.

16 MS. MUSSELMAN: Thank you.

17 REPRESENTATIVE SABATINA: Thank you.

18 REPRESENTATIVE GEIST: Let me say  
19 something here. When we were crafting this,  
20 one of the things we were totally aware of and  
21 were very, very concerned about was protecting  
22 the rights of people in those vehicles. There  
23 is a huge difference between a camera offense  
24 and a summary offense where an officer writes  
25 it up.

1           In a summary offense, if he stops  
2 you, the officer has eyeballed you, and yes,  
3 that is public record. But, when you tag a  
4 vehicle and not a person, and you bring the  
5 owner of that vehicle in as the person who did  
6 that, then you've got a real problem because  
7 there's a disconnect. There is no visual  
8 identification by an officer and there's no  
9 summary offense. That's where the media has to  
10 work out what's fair in that quibble especially  
11 to people who are charged.

12           MS. MUSSELMAN: Thank you.

13           REPRESENTATIVE GEIST: A person who  
14 gets one of these citations and they call Vince  
15 up and they say -- Vince says, I wasn't  
16 anywhere near there. Well, your car was, but  
17 the owner didn't know. That happens  
18 frequently. I thought about this, we worked on  
19 this a long, long time and worked it through.

20           I know that I was really surprised  
21 and amazed when the media was trying to get  
22 information out of the parking authority and  
23 they didn't, and they came to me and they  
24 wanted me to request a list of all the names of  
25 the people who had been charged, the owners of

0068

1 those vehicles. I thought that's just really  
2 going way over the line.

3 I don't know where Three A's is on  
4 this because they're protecting their members'  
5 rights. I have no idea where all the other  
6 organizations are. I know where I am. And I  
7 believe that information, for information sake  
8 on the number of accidents and all that is very  
9 good to use and be used in public. A list of  
10 all the names is very bad. And I hope that  
11 somewhere along the line we come to that  
12 realization.

13 CHAIRMAN MARKOSEK: Mr. Fenerty, do  
14 you have something to add to that?

15 MR. FENERTY: Mr. Chairman --

16 CHAIRMAN MARKOSEK: Just very  
17 briefly.

18 MR. FENERTY: Yes, I'll be very  
19 brief. The parking authority has asked the  
20 legislature, both Mr. Kenney and I believe  
21 Mr. -- I met with Mr. Payton last Thursday who  
22 has language which is crafted to solve this  
23 problem.

24 The parking authority would like to  
25 be able to provide the media with most of the

0069

1 information which they would want; the number  
2 of citations which are issued, the accident  
3 statistics or any type of studies which we  
4 have; the number of citations which are paid,  
5 payment rate. We would like to do any of that,  
6 which we are prohibited currently under the  
7 current statute for red light cameras to do so.  
8 But I want to go a little bit further.

9           The language which is in here, if we  
10 were to be able to give everything, we will not  
11 be able to give the identities of those people,  
12 of those individuals who were cited. How we  
13 obtain our information is through the  
14 Pennsylvania Department of Transportation  
15 and/or the Department of Transportation of  
16 whatever state the vehicle is registered.

17           There are strict laws, okay,  
18 regarding the release of any type of  
19 information which are derived from PennDOT  
20 files. We have had this for 20 some years,  
21 24 years. When we are asked by the media to  
22 give them the top 20 violators for parking  
23 violations or the top 200, whatever it may be,  
24 we cannot do that because we derive our  
25 information from tag numbers; from tag numbers

0070

1 and from information which is derived from  
2 PennDOT files and various other Department of  
3 Transportation files.

4           So even with the language which is  
5 here to release everything else, the authority  
6 would never be able to release the identities  
7 of anyone due to other statutes which are in  
8 place. The authority would like to become  
9 very, very helpful to the press. And believe  
10 me, if we could release everyone's names,  
11 payment rate would go up, and I think people  
12 would slow down. But due to other statutes we  
13 would not be able to do that.

14           I'd like to go a little further. The  
15 difference between a summary offense, Title 75  
16 violation, which would be an officer stopping  
17 someone for a red light, for a reckless driving  
18 ticket, or any other type of motor vehicle  
19 violation, as compared to a red light camera  
20 violation, that officer has identified the  
21 driver. He has looked at his license, he has  
22 looked at his other identification, and he has  
23 identified, for instance, Vincent Fenerty as  
24 the driver of the vehicle.

25           When you derive information as to

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1 owners for a red light camera violation, it is  
2 the owner of the vehicle. The owner of the  
3 vehicle is then charged with a civil violation,  
4 which doesn't contain points, and the payment  
5 is made based on the fact of what the owner's  
6 response is.

7 If the owner goes into a hearing and  
8 denies that he or she don't know anything about  
9 it, they don't know who was driving their car  
10 without permission, they can go into a hearing  
11 and defend that. That would not be information  
12 that we would be able to release to the press.

13 Sitting to my right is our general  
14 counsel of the parking authority, Dennis  
15 Weldon, and Linda Miller who is our director of  
16 public relations. I think I've stated  
17 everything correctly, but if either of them  
18 have anything to say regarding this--They  
19 handle these cases quite frequently--I'd like  
20 to ask them if they have anything to add.

21 CHAIRMAN MARKOSEK: Well, rather than  
22 do that, we really need to move on. We're  
23 really on Ms. Musselman's dime here. I think  
24 we got that answer.

25 I would suggest that if any of the

1 members who are still here have questions, that  
2 they side bar afterwards because we do have  
3 caucus that our members have to get to. So if  
4 that is acceptable to all the members, I'll  
5 recognize Chairman Kenney.

6 REPRESENTATIVE KENNEY: Thank you,  
7 Chairman Markosek. Let me first thank you and  
8 Chairman Geist for calling this public hearing.  
9 As you know, I support both House Bill 1559 and  
10 House Bill 1690. This has been an ongoing  
11 effort between the City of Philadelphia and  
12 PennDOT, U.S. Department of Transportation  
13 trying to get some answers to save lives on  
14 Roosevelt Boulevard, Route 1 in Philadelphia.

15 I did want to ask Mr. Fenerty if  
16 PennDOT has officially supported both pieces of  
17 legislation before the Transportation  
18 Committee?

19 MR. FENERTY: Mr. Kenney, it was my  
20 understanding the first Deputy Secretary of  
21 Transportation --

22 CHAIRMAN MARKOSEK: Let me interrupt.  
23 We have testimony from PennDOT, written  
24 testimony. They couldn't be here today but  
25 they support both bills.



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1                   REPRESENTATIVE KENNEY: Thank you.

2 Thank you, Mr. Chairman.

3                   CHAIRMAN MARKOSEK: Sorry, Vince.

4                   If there are no other questions, I  
5 want to thank all of the folks who testified.  
6 I thank the members, thanks to all the folks  
7 that are here today. Meeting adjourned. Thank  
8 you.

9                   (At or about 10:30 a.m., the hearing  
10 concluded).

11                                   \* \* \* \*

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C E R T I F I C A T E

I, Karen J. Meister, Reporter, Notary Public, duly commissioned and qualified in and for the County of York, Commonwealth of Pennsylvania, hereby certify that the foregoing is a true and accurate transcript of my stenotype notes taken by me and subsequently reduced to computer printout under my supervision, and that this copy is a correct record of the same.

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Dated this 10th day of October, 2007.

Karen J. Meister - Reporter  
Notary Public  
My commission expires 10/19/10