

HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA

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Speed Enforcement Technology

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House Transportation Committee

Capitol Building, East Wing  
Room 60  
Harrisburg, Pennsylvania

Wednesday, June 24, 2009 - 9:00 a.m.

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BEFORE:

- Honorable Joseph Markosek, Majority Chairman
- Honorable Mike Carroll
- Honorable Paul Costa
- Honorable Michael Gerber
- Honorable Mark Longietti
- Honorable Tony Payton
- Honorable Joseph Petrarca
- Honorable John Sabatina
- Honorable John Siptroth
- Honorable Tim Solobay
- Honorable Kate Harper
- Honorable Dick Hess
- Honorable David Hickernell
- Honorable Mark Keller
- Honorable Ron Miller
- Honorable Katharine Watson

1     ALSO PRESENT:  
2     Stacia Ritter  
       Majority Executive Director  
3  
4     Bob Mustin, Esquire  
       Majority Counsel for Committee  
5  
6     Amanda Wolfe  
       Majority Committee Secretary/Legislative Assistant  
7  
8     Eric Bugaile  
       Minority Executive Director  
9  
10    Vickie Trostle  
       Minority Committee Secretary/Administrative Assistant  
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8 Pennsylvania Department of Transportation

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11 Bureau of Highway Safety and Traffic  
Engineering

12 Testimony Submitted for Written Record:

13 Dr. Simon Washington, Professor,  
14 Department of Civil and Environmental Engineering  
Arizona State University

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1                   CHAIRMAN MARKOSEK: The meeting of the  
2 Transportation Committee will come to order. I'd like to  
3 have our guest speaker, Major Harvey Cole lead us in the  
4 Pledge of Allegiance.

5                   (The Pledge of Allegiance)

6                   CHAIRMAN MARKOSEK: Okay. Thank you. A little  
7 surprise duty there.

8                   We have members that will be joining us as the  
9 day goes on. It's a busy day today with a lot of other  
10 committee meetings, and a lot of members have other meetings  
11 that they're either intending to come later or vice versa.  
12 The minority chair, Rick Geist, is I believe going to try to  
13 make it here today or this morning so he will be joining us  
14 shortly.

15                   We have Representative Ron Miller with us,  
16 Representative Mark Keller, Representative Paul Costa,  
17 Representative John Sabatina, Representative Dave Hickernell  
18 and Representative Siptroth so far with us today. And, of  
19 course, I'm Representative Joe Markosek.

20                   Now, with that we'll get started. And we have  
21 as our first guest speaker today Major Harvey Cole who's the  
22 Director of Bureau of Patrol, Pennsylvania State Police.

23                   Major Cole, if you'd like to take a seat here in  
24 front of the mike there, please. There's written testimony  
25 in the packets for the members. And, Major Cole, you may

1 proceed when you are ready to do so.

2 MAJOR COLE: Good morning, everyone. I am Major  
3 Harvey Cole, Jr., Director of the Bureau of Patrol for the  
4 Pennsylvania State Police. On behalf of Colonel Frank E.  
5 Pawlowski, Commissioner of the Pennsylvania State Police, I  
6 would like to thank you for the invitation to provide  
7 testimony at this hearing concerning automated camera  
8 enforcement for speeding violations in work zones.

9 All traffic enforcement is conducted with the  
10 purpose of reducing crashes due to driver error or  
11 aggressive driving behaviors. Increased speeds of cars and  
12 trucks amplify the severity of crashes when they do occur,  
13 and therefore speed enforcement is a priority of the  
14 Pennsylvania State Police.

15 Work zone speed enforcement has specifically  
16 become a priority for the department, and new measures were  
17 put in place in January of this year to target those  
18 behaviors which contribute to crashes, including our  
19 unrelenting enforcement of all Vehicle Code laws.

20 The Pennsylvania State Police are involved with  
21 enforcing the Vehicle Code in nearly 200 active work zones.  
22 Our policy was changed early this year to target our  
23 activities in work zones to focus on only two priorities.  
24 The main priority will always be to provide advance notice  
25 to oncoming traffic when backlogs occur, which can prevent

1 the severe crashes that happen when vehicles come quickly  
2 upon stopped traffic and are unable to stop in time. When  
3 no backlogs exist, our troopers will be conducting  
4 enforcement for all violations of the Vehicle Code. This  
5 policy is in line with federal rules which were put in place  
6 in 2007 for the use of police in work zones as a  
7 supplemental safety effort to augment the federally-mandated  
8 safety measures required of all work zones.

9 In 2008 there were 125,712 reportable traffic  
10 crashes in Pennsylvania. Of that total, 1422 occurred in  
11 work zones, making up roughly 1.13 percent of these  
12 reportable crashes. During that same period of time there  
13 was 1467 people killed in traffic collisions. Twenty-three  
14 persons, 1.56 percent of the total, were killed in work  
15 zones at the time of the collision, and two of those killed  
16 were construction zone workers. The goal of the state  
17 police is to continue to reduce these collisions and deaths  
18 through our aggressive enforcement measures.

19 The proposal to provide automated speed  
20 enforcement in work zones across the Commonwealth states the  
21 noble purpose of trying to reduce crashes associated with  
22 excessive speed. On face value this appears to be in line  
23 with law enforcement's goals for crash reduction. However,  
24 existing laws would make the use of camera-based enforcement  
25 a near impossibility. The use of radar for speed

1 enforcement is currently limited to use only by the  
2 Pennsylvania State Police, and not even local police can use  
3 this effective tool in their own speed enforcement efforts.  
4 Therefore, any radar-based camera system would only be  
5 available to State Police, even though there are work zones  
6 throughout the Commonwealth which are being manned by local  
7 police for enforcement efforts.

8           The other type of camera-based enforcement  
9 system utilizes time/distance computations to determine a  
10 speed of a particular vehicle. The distance between the two  
11 points necessary to determine speed must be measured exactly  
12 and the equipment used must be approved as a speed timing  
13 device by the Pennsylvania Department of Transportation.

14           Even if these measures were put in place, the  
15 resulting photographic evidence would not identify a  
16 particular driver of a vehicle, only the vehicle itself  
17 through a picture of a registration plate. Current laws  
18 require that an officer issuing a citation to a violator  
19 must be able to positively identify the defendant in court  
20 as the person who was operating the vehicle at the time the  
21 violation occurred. The officer becomes a witness for the  
22 Commonwealth's prosecution and is subject to  
23 cross-examination by the defendant in furtherance of the due  
24 process clause of the Constitution's Fourteenth Amendment.

25           Unfortunately, there are no such safeguards in

1 place when the witness is merely a photograph of a vehicle  
2 and identification is made of the defendant through  
3 ownership and registration records on file with the  
4 Department of Transportation.

5 Another concern for the State Police is the  
6 methods used to actually deploy the cameras. One method is  
7 to mount the camera system inside a vehicle and park it  
8 along the side of the road to detect speeding vehicles which  
9 pass by, either occupied or not. The unintended consequence  
10 of this method is that the vehicle being used to deploy the  
11 camera becomes a stationary object which could be struck by  
12 passing motorists and provides an impediment to the safe  
13 flow of traffic.

14 The same thing is true with cameras which would  
15 need to be affixed to a pole or other permanent object.  
16 They are another obstacle within the work zone which drivers  
17 must negotiate past at highway speeds.

18 Although State Police marked cars are used  
19 currently for detecting violators in work zones, they have  
20 the advantage of emergency lighting and a high degree of  
21 visibility through reflective markings that other vehicles  
22 do not possess, along with a driver at the wheel who has  
23 been trained to perform work zone monitoring and evasive  
24 driving maneuvers when necessary.

25 Speed enforcement, while critical to crash



1 reduction, is only one aspect of the overall enforcement  
2 efforts of police. There are many other violations present  
3 which can be termed as aggressive driving, as well as  
4 persons who are under the influence of alcohol or drugs, and  
5 criminals who use the highways of the Commonwealth to  
6 further their illegal goals. All of these present dangers  
7 to the motoring public, but the unfortunate reality is that  
8 enforcement of these other violations is impossible by  
9 utilizing camera-based systems.

10           For example, in a single work zone in York  
11 County in April and May of this year, there were 1157  
12 traffic citations issued for various violations of the  
13 Vehicle Code. However, there were also 27 DUI arrests made,  
14 20 criminal arrests under our SHIELD program, and 59  
15 motorists assisted which occurred solely within this work  
16 zone. None of these arrests or assists would have been  
17 possible with camera-based enforcement and the disabled  
18 motorists could potentially have created more crashes if a  
19 police officer were not present to resolve the situation  
20 with expedience by providing traffic control until the  
21 vehicle was removed.

22           Furthermore, if camera enforcement had been  
23 present, the drivers who were intoxicated may well have  
24 received a citation in the mail but would have continued to  
25 drive under the influence. From their perspective, I can

1 assume that this would not be a bad trade-off, but it  
2 certainly does nothing to enhance highway safety from an  
3 enforcement perspective.

4           Although camera-based enforcement currently  
5 occurs in the City of Philadelphia for certain intersections  
6 with red lights, moving to a statewide solution of speed  
7 enforcement using similar methods is quite a leap. The  
8 proposal would provide for a fine of \$100 which is far less  
9 than the current fines for speeding in an active work zone  
10 which have an automatically doubled fine in place. It also  
11 proposes to assess no points to a driver's license record.  
12 With reduced fines and no further penalty involving the  
13 point system, I question whether any of these citations will  
14 have the deterrent effect that a real citation issued by a  
15 police officer at the time of the violation has on the  
16 motoring public.

17           Speed enforcement has traditionally been used  
18 for the reduction of speed-related crashes, and it should  
19 remain so even if this proposal is initiated. Any  
20 alteration to that strategy usurps the very purpose of speed  
21 enforcement, and the perception of the public becomes such  
22 that it is merely a method of collection of funds for the  
23 Commonwealth without any real penalty for those who would  
24 violate the laws.

25           In conclusion, on behalf of Colonel Pawlowski

1 and the entire Pennsylvania State Police, I again want to  
2 thank you for the opportunity to address your committee. I  
3 will be happy to answer any questions you may have.

4 CHAIRMAN MARKOSEK: Okay. Major, thank you very  
5 much. Before we go to questions, you know, I indicated  
6 earlier that some of the best and brightest would be  
7 trickling in, and they have.

8 Representative Kate Harper is here,  
9 Representative Kathy Watson, Representative Dick Hess,  
10 Representative Tony Payton and Representative Tim Solobay  
11 from Washington County is here.

12 So any questions? Representative Ron Miller  
13 from York County.

14 REPRESENTATIVE MILLER: Thank you, Mr. Chairman.  
15 Major, I'm from York County so this statistic on the work  
16 zone violations that were issued in a two-month period,  
17 1157, that's almost 200 a day, is this published somehow  
18 that the public knows it? Because one of the complaints  
19 that my office gets often is that, you know, people are  
20 speeding through work zones and nobody's paying attention,  
21 and this certainly indicates otherwise.

22 MAJOR COLE: Actually, there was some media  
23 attention on that. It was reported at least twice. It was  
24 two articles in the local paper.

25 REPRESENTATIVE MILLER: Is this type of data

1 published for our highway systems on the State Police web  
2 site or somewhere?

3 MAJOR COLE: Not per se as the work zone, but it  
4 is as far as the number of citations and type of arrests.  
5 Yes, we do have it published.

6 REPRESENTATIVE MILLER: Thank you. Thank you,  
7 Mr. Chairman.

8 CHAIRMAN MARKOSEK: I had a question myself  
9 about lidar. Is that something you're using now or could  
10 you give us a little background?

11 MAJOR COLE: No. We would like to have that  
12 tool. No, we are not able to use lidar or moving radar at  
13 this time due to legislation or statute. We're not able.

14 We would like to have stationary radar -- not  
15 stationary radar -- lidar and moving radar. It would  
16 enhance our enforcement of traffic. And we're one of two  
17 states that are not using lidar. The surrounding states are  
18 all using lidar and moving radar. So we're kind of lagging  
19 in that aspect.

20 CHAIRMAN MARKOSEK: For the information of the  
21 members and perhaps others, could you give us the definition  
22 of what lidar actually is.

23 MAJOR COLE: I'd be more than happy to. Lidar  
24 is light detection and ranging. It sends out an infrared  
25 laser beam rather than a radio wave. Our stationary radar

1 that we use, we can only use stationary radar, and that is a  
2 radio detection and ranging which sends out a radio wave and  
3 it sends out -- the beacon that it sends out, it's a cone  
4 shape, it's very large and it goes out wide. With the lidar  
5 it's very streamlined. It's infrared and it's like a laser.  
6 And it's more accurate, a lot more accurate. Well, the  
7 radar that we have, it's accurate, but this can now -- you  
8 can aim it at the vehicle itself and get a quicker reading,  
9 a lot quicker reading than you would have with our systems  
10 that we have now because of the funnel that it sends out.

11 And you might have a few cars that's in that  
12 funnel and now the trooper has to determine which vehicle it  
13 is. And more or less with the lidar it's a lot more  
14 accuracy, a quicker target accuracy. More or less you point  
15 it and because of its streamline you point it at the vehicle  
16 and you get a quick read, a lot quicker. You can identify  
17 the vehicle a lot quicker.

18 Speed is calculated by the length of time it  
19 takes the beam to reflect off the vehicle and return to the  
20 unit. A laser beam, like I said, is very narrow. At a  
21 thousand feet the laser beam is about 3 to 4 feet wide, and  
22 at 500 feet the beam is only 18 inches wide. This allows  
23 the officer to easily target a specific vehicle, thus  
24 providing a superior target acquisition.

25 In addition, lidar sends out many laser pulses

1 in a short amount of time collecting multiple distances. A  
2 lidar takes several hundred distance samples in less than a  
3 half a second so it's extremely accurate versus -- and the  
4 moving radar, moving radar uses the same fundamentals as the  
5 Doppler principles that we have presently. Moving radar  
6 allows the officer to determine the speed of a vehicle  
7 moving toward or away from the police vehicle while the  
8 vehicle is in motion. With moving radar the unit factors in  
9 the movement of the police vehicle.

10 I'll give you an example. A police officer  
11 driving at 50 miles an hour and the vehicle is moving in  
12 front of him pulling away and the radar gun detects the  
13 target moving vehicle moving away at 20 miles an hour.  
14 Therefore the vehicle is going 70 miles per hour. So as  
15 it's moving it can give a read.

16 CHAIRMAN MARKOSEK: It sounds like to me it's  
17 much more accurate. And how would you compare that to speed  
18 cameras as technology and which one could do a better job?

19 MAJOR COLE: Well, what you have here is you  
20 have the troopers that are actually there. Okay. The  
21 legislation doesn't allow us to enforce the speed camera  
22 because we're not present for the speed camera to identify  
23 the driver.

24 And there's where you're going to have the  
25 problems versus here. I mean with these enforcement tools,

1 you're there, you're identifying the driver, issuing the  
2 driver a citation, warning or whatever it might be. You're  
3 there and you're identifying the driver.

4 CHAIRMAN MARKOSEK: Representative Paul Costa.

5 REPRESENTATIVE COSTA: Thank you, Mr. Chairman.  
6 Major, first of all, thank you for testifying this morning.  
7 Radar detectors, would they work on lidars? I know they're  
8 illegal.

9 MAJOR COLE: No. Because of the quick action of  
10 the lidar, it's really not going to help them at all.

11 REPRESENTATIVE COSTA: Thank you.

12 CHAIRMAN MARKOSEK: Representative Ron Miller.

13 REPRESENTATIVE MILLER: Mr. Chairman, just a  
14 quick clarification. My quick math, I was off by an order  
15 of magnitude of 10. So it's 20 citations per day, not  
16 approaching 200.

17 CHAIRMAN MARKOSEK: Representative Kathy Watson.

18 REPRESENTATIVE WATSON: Thank you, Mr. Chairman.  
19 And thank you, Major. You were mentioning with the lidar  
20 though and you referred to the fact we are one of two  
21 states. The reason for that is simply a lack of legislation  
22 that would permit the use? Is it because it would require a  
23 budget expense for new equipment or is it because someone  
24 has determined and thinks that this isn't a good way to go?

25 Do you have any knowledge as to what the reason

1 is we are only one of two?

2 MAJOR COLE: Well, I can say that the moving  
3 radar we consider to be radar as though what we have now  
4 stationary radar. Lidar is a little different. It is my  
5 state police opinion that, you know, a statute, a change of  
6 statute would work to allow us to operate moving radar.

7 And lidar could come under that too. There  
8 would be some discussion, but I think lidar also could come  
9 under that as a radar to be approved as a speed timing  
10 device and we could use it.

11 I do have some information. Amendments to Title  
12 67, Chapter 105, Pennsylvania Code, those amendments would  
13 authorize the State Police to use both lidar and moving  
14 radar. As it currently stands, the State Police cannot use  
15 lidar and moving radar absent action by the General Assembly  
16 and the Department of Transportation.

17 I hope that answers your question.

18 REPRESENTATIVE WATSON: Yes. And a follow-up  
19 then might be, am I correct though there are times where  
20 because of topography radar, as you would use it, really  
21 doesn't work? Would it be that it would be better to have a  
22 combination of tools available, lidar versus radar?

23 And, of course, I might add that if the locals  
24 had the opportunity for radar, they might solve some of your  
25 problems before people got to the interstates.



1 MAJOR COLE: And we do -- the State Police do  
2 support the local departments using radar -- to use radar.  
3 Twofold, with the -- right now with the radar that we have,  
4 it has to be stationary so the trooper has to sit at a  
5 location effectively to run radar. With moving radar, you  
6 know, the trooper can be moving, doing two things, actually  
7 patrolling and actually monitoring the speed of traffic.  
8 So, you know, we're getting two jobs done versus one. We're  
9 doing the traffic enforcement plus the trooper is out there  
10 doing patrol, he's monitoring -- and monitoring traffic.

11 With the lidar still, you know, has quick  
12 acquisition with the target so we really could use these  
13 tools. It would enhance us. And we are lagging when it  
14 comes to traffic enforcement with radar versus the other  
15 states.

16 REPRESENTATIVE WATSON: And my final question  
17 then, what I'm hearing from your answer, am I correct, that  
18 another benefit might be that, whereas, you have to then  
19 take a trooper from the complement and his job is to sit  
20 there stationary to do this, he in effect -- and therefore  
21 you have one less on the road?

22 You're saying with the new technology you're on  
23 the road, in other words, doing two jobs for one. So I'm  
24 guessing if I'm shorthanded or if I have a lighter  
25 complement, it's more useful because you can do two things

1 at once.

2 MAJOR COLE: Well worded. Very helpful.

3 REPRESENTATIVE WATSON: All right. Thank you.

4 Thank you, Mr. Chairman.

5 CHAIRMAN MARKOSEK: You're welcome.

6 Representative Paul Costa.

7 REPRESENTATIVE COSTA: Thank you. Major, again,  
8 is it possible for some of the members to come and see the  
9 comparison between the radar and lidar?

10 MAJOR COLE: Yes.

11 REPRESENTATIVE COSTA: And see the difference  
12 between the two?

13 MAJOR COLE: Sure. A demonstration was done  
14 some time ago. We would be more than happy to provide a  
15 demonstration at a certain time period, demonstrate the  
16 lidar and moving radar.

17 REPRESENTATIVE COSTA: After that can you give  
18 me one of those red and blue lights? Thank you.

19 CHAIRMAN MARKOSEK: Representative Geist's  
20 analyst Greg Grasa has a question.

21 MR. GRASA: Thank you, Major, for coming. I  
22 understand you're the main man when it comes to speed  
23 enforcement in the Commonwealth. So since you're here, I  
24 just want you to reassure me.

25 I travel a considerable distance every day for

1 ten years, and antidotally I've observed that the motoring  
2 public has become a little more aggressive in that time and  
3 maybe a little more cavalier about their obeying the speed  
4 limit or not obeying the speed limit.

5 Do you feel right now that the state police has  
6 a handle on this and is it an increasing problem and do you  
7 feel the state police patrol has a handle on it?

8 MAJOR COLE: Well, I think it is an increasing  
9 problem. I think the volume of traffic now, when you look  
10 at ten years ago and you look at now, you know, the amount  
11 of vehicles that are on the road versus back ten years, and  
12 it continues to increase. You know, at one time it was  
13 like, you know, a family was just a one-car family, and now  
14 just about everybody that has a driver's license has a car.

15 But, you know, it has increased in volume. And  
16 now the state police -- not only are people driving at high  
17 speeds or speeding, now we're really looking at aggressive  
18 drivers. There's a lot of violations of aggressive driving  
19 that contribute to accidents, you know, improper lane  
20 changing, people don't have time, they got to get there, get  
21 there, and those type of violations, and we're really taking  
22 enforcement action in aggressive driving.

23 So I think we do have a handle on it. It looks  
24 very good. Our stats as far as reduction of traffic  
25 accidents, last year for 2007 we showed a decrease. I don't

1 have the number, but we showed a decrease in traffic  
2 accidents, fatal accidents. So everything as far as our  
3 enforcement it seems to be we're getting good results. And  
4 obviously we want to continue that. And if we have these  
5 extra tools, I think that that would only enhance it.

6 MR. GRASA: But you don't see any manpower  
7 problems as far as patrolling our highways?

8 MAJOR COLE: We always like to have more  
9 manpower. But again, sir, you know, we are handling the  
10 situation. And you can see by our results, you know, as far  
11 as the reduction in the traffic accidents that we  
12 have -- you know, we are getting the job done. But  
13 obviously we would love to have more manpower.

14 MR. GRASA: What's your perspective on creating  
15 the highway patrol again? At one time Pennsylvania had a  
16 highway patrol that was exclusively devoted to that task.

17 MAJOR COLE: I think where we're at is fine in  
18 how we're doing business. When you look at the turnpike, I  
19 mean you can kind of say that the turnpike, that is more or  
20 less structured as a highway patrol because generally it's  
21 all patrol, it's all traffic enforcement for the most part,  
22 and it works well there. But in the counties obviously we  
23 do a lot of criminal investigations and things like that so  
24 we wouldn't be able to do that. But we do have a lot of  
25 details and the majority of them are federally funded that

1 we do specifically traffic enforcement.

2 MR. GRASA: Thanks.

3 CHAIRMAN MARKOSEK: Just a reminder to the  
4 guests. If they could please put their cell phones on  
5 vibrate, that would help.

6 Representative Tony Payton.

7 REPRESENTATIVE PAYTON: Thank you, Mr. Chairman.  
8 Thank you, Major, for your testimony. I believe that you  
9 guys are doing well on the turnpike. From my perspective at  
10 least, from Valley Forge to Harrisburg the last couple of  
11 months I've been cited about three times. I'm working on my  
12 speed control.

13 In your opinion you said that camera enforcement  
14 of speed in the work zones would be impossible to enforce?

15 MAJOR COLE: It would be impossible for us to  
16 enforce and use it as an enforcement tool. Okay? I think,  
17 you know, even just the mere sign of putting that this area  
18 is enforced by camera is going to slow a majority of the  
19 people down. Okay. But I think, you know, what we have in  
20 place, I think it gets the job done, slows traffic down and  
21 we're taking the right measures.

22 Camera enforcement is not going to get that DUI,  
23 that person that's driving DUI or recklessly. All it's  
24 going to pick up is that person that's speeding. And so  
25 what do we solve, the message we've gotten to them -- and we

1 can't enforce it at this point. So, you know, the way  
2 legislation is, if there's a change in legislation, we  
3 could, and we could use this as an added tool and we would  
4 use it. But as it stands now we just can't use it.

5 REPRESENTATIVE PAYTON: Wouldn't necessarily  
6 make the roads safer by virtue of not catching those folks  
7 who are recklessly driving?

8 MAJOR COLE: Yes.

9 REPRESENTATIVE PAYTON: Now, I do see a sign  
10 that speed is enforced by aircraft?

11 MAJOR COLE: Yes.

12 REPRESENTATIVE PAYTON: Is that right?

13 MAJOR COLE: Yes.

14 REPRESENTATIVE PAYTON: Thank you.

15 CHAIRMAN MARKOSEK: Representatives Mike Gerber  
16 and Mike Carroll have arrived, as well as Representative  
17 Longietti. And Representative John Siptroth has a question.

18 REPRESENTATIVE SIPTROTH: Thank you very much,  
19 Mr. Chairman. And thank you for your testimony.

20 Do you have any idea what the cost would be for  
21 utilization of cameras in work zones on an individual basis  
22 or across the construction season? Would it require a  
23 change in the uniform traffic control devices that we now  
24 use in Pennsylvania for setting up traffic patterns for  
25 construction?

1                   And the second question, from what I'm gathering  
2                   from your testimony you're not a big fan of this proposal.

3                   MAJOR COLE: I haven't done any research on the  
4                   cost. And I guess you might say I'm not so much a big fan  
5                   at this point. I would -- you know, we would gladly, PSP,  
6                   accept this if legislation would provide the PSP the vehicle  
7                   to use it as an enforcement tool, okay, that it would be  
8                   accredited as a speed timing device, which it is not. We'd  
9                   have to get those measures in place and we could use it.  
10                  And it would be a tool.

11                  We would supplement our enforcement efforts with  
12                  this. We could use it in school zones, construction zones.  
13                  We could use it to supplement, but, you know, what we have  
14                  in place now I think is very effective.

15                  I just wanted to share something with you as far  
16                  as stats from January -- for the year of 2008, we're talking  
17                  about manpower -- in the year of 2008 in the construction  
18                  zones itself we issued 8,867 citations, 7,359 warnings. We  
19                  arrested 105 DUI, driving under the influence. We dedicated  
20                  85,320 hours to construction zones.

21                  And from January to May 31st of this year we've  
22                  issued 4,051 citations, 1,989 warnings, arrested 51 DUI  
23                  operators and we've mandated 19,290 man hours.

24                  REPRESENTATIVE SIPTROTH: I thank you for those  
25                  statistics. I find enormous value in you being present in

1 the work zones.

2 And one other question, Mr. Chairman.

3 Unfortunately, I have to leave. Maybe someone can ask this  
4 of PennDOT. I have a real problem with the light that  
5 indicates when a work zone is an active work zone and so  
6 many times that is left flashing and it slows the traffic  
7 pattern down.

8 And I think that's an issue we should really  
9 take up with PennDOT and some means should be in place in  
10 the contracts, if they're awarded a contract that somebody  
11 is responsible for activating and deactivating those lights  
12 when construction workers are present. I think there should  
13 be some sort of penalty that we impose on those particular  
14 contractors that are not activating and deactivating the  
15 lights at the appropriate times. Thank you very much.

16 CHAIRMAN MARKOSEK: Okay. Thank you. We'll  
17 have PennDOT address that.

18 Okay. Seeing no other questions, Major, a very  
19 good job.

20 MAJOR COLE: Thank you very much.

21 CHAIRMAN MARKOSEK: Thank you for your  
22 testimony. It's great information and we appreciate you  
23 coming by.

24 Our next folks to testify, we'll hear from Mr.  
25 Adam Tuton, Senior Vice President, American Traffic



1 Solutions. Mr. Tuton. He's sitting over here because of  
2 the display. So, Mr. Tuton, when you're ready, you may  
3 proceed.

4 MR. TUTON: Mr. Chairman and members, thank you  
5 for the opportunity to present in front of you again.

6 Clearly we're all talking about giving State  
7 Police access to tools that would make their job easier.  
8 Clearly there are issues that need to be addressed in terms  
9 of legislation, but what I thought I'd do is walk you  
10 through some of the experience in other areas of the  
11 country, some of the technology and a case study from  
12 another city.

13 Speed is something that kills obviously. The  
14 faster you drive, the harder you hit, the more damage to  
15 you, the more people get killed. And speed is a main  
16 factor. Thirty-one percent of all fatal crashes in the  
17 U.S., about a thousand people are dying every month in the  
18 U.S. from traffic collisions.

19 It's also very possible it costs over \$40  
20 billion in unintended consequences from loss of  
21 productivity, in addition to fire rescue, all the emergency  
22 services, plus the insurance costs. So it's a big issue  
23 nationwide, and many more cities already use red light  
24 cameras around the country and are implementing the speed  
25 enforcement as well in work zones.

1           In Illinois they have a speed zone -- work zone  
2 speed enforcement program, and this just shows the average  
3 miles per hour vehicles over the speed limit when there's no  
4 enforcement versus electronic sign versus police cars versus  
5 all the speed enforcement. And this is the University of  
6 Illinois. It shows --

7           CHAIRMAN MARKOSEK: Excuse me. I don't know  
8 that the folks can hear. You need to pull the mike a little  
9 closer. Okay.

10          MR. TUTON: The speed enforcement, the automated  
11 enforcement device is the most effective of all the other  
12 deterrents.

13          We don't -- we do not advocate to replace police  
14 officers with any type of automated enforcement. That's  
15 never been the case. This is a tool and any tool is used  
16 with other tools to give them the maximum results.  
17 The system of automated enforcement has never replaced an  
18 officer. They do an important job and they do a very  
19 important job with regard to a DUI and drug enforcement and  
20 other things that they are so well trained to do.

21          In Scottsdale, Arizona, on the 101 Freeway there  
22 was a pilot project that lasted for nine months that showed  
23 on the freeway at six locations in the pilot project a very  
24 significant reduction in collisions of 54 percent. Property  
25 damage and injury crashes were reduced by 56 percent. And

1 all types of crashes were reduced. This graphic really  
2 shows on a time line exactly what happened during that pilot  
3 program.

4 As you can see, there was a warning period from  
5 January to March of 2006 and the violation rates were low  
6 while the cameras were operational. Then there was the full  
7 enforcement program for a year, and you can see the  
8 violation rates were low. When they turned the cameras off  
9 and covered them up, you can see that the violation rates of  
10 people speeding at 76 miles or greater rose by 1047 percent.  
11 Then when they turned the camera systems back on you can see  
12 that compliance was immediately returned to the previous  
13 levels.

14 It is this kind of ever-present awareness that  
15 there is speed enforcement in addition to a very active  
16 public awareness campaign in which the public was very much  
17 forewarned by signage and public awareness in the media that  
18 this program had such a success.

19 In Seattle a recent public opinion poll done by  
20 the city in support of different types of speed enforcement  
21 in different areas, including school zones, construction  
22 zones, busy arterial streets and major intersections, showed  
23 a very high level of support for speed enforcement and it  
24 ranges here from 74 to 85 percent.

25 The Insurance Institute for Highway Safety has

1 done public opinion results, and they testified here as well  
2 just as recently as last year, they did opinion polls for  
3 speed enforcement in Montgomery County, Maryland, and  
4 Scottsdale, Arizona. You can see the results of  
5 favorability in terms of speed enforcement ranging from 62  
6 to 77 percent. So there's high awareness of speed cameras  
7 and it's high awareness of speed problems, and targeting  
8 roads has a high support for the usage.

9           This next slide shows a map of the United States  
10 and they have the cities and states listed with pointers to  
11 show where speed enforcement is being used. Whereas red  
12 light cameras are used in 26 states in the country and over  
13 400 cities, there are over 40 -- 45 cities in the U.S. now  
14 and four states that are using some method of speed  
15 enforcement, whether it be fixed enforcement on neighborhood  
16 streets, school zones, construction zones or statewide.  
17 Washington State DOT has a statewide construction zone speed  
18 enforcement program, as does Illinois, and Arizona has a  
19 statewide program.

20           Whereas, the issue of the type of technology can  
21 be debated, there are many types of speed enforcement  
22 technologies. There are radar. There are lidar. There are  
23 fixed site using time over distance sensors. The issue  
24 really is you fit the technology to the particular  
25 situation.

1                   Many of the issues brought up by the  
2     Pennsylvania State Police can be addressed, but we agree  
3     that the legislation is needed.

4                   This is a picture of what a fixed-site speed  
5     camera looks like. It looks just like a regular camera  
6     that's on a pole. You also can have a low-speed camera  
7     that's in a van or in a police car or in a movable trailer  
8     like a speed enforcement trailer that you already use. So  
9     there are various different types of deployments that can be  
10    implemented very effectively.

11                  This is a sample image of a vehicle. In 23 of  
12    26 states the violation is taken from the back of the  
13    vehicle and not of the driver. This addresses privacy  
14    concerns that come up. But it is also shown that speed  
15    enforcement against the registered owner is every bit as  
16    effective as those that take pictures of the drivers and  
17    issue points.

18                  This is another image. This is one of the  
19    license plate.

20                  Now I wanted to walk through an example of case  
21    studies from a city called Mesa, Arizona, which is one of  
22    our clients. This is at Rhodes Junior High School. This  
23    was a scene of a fatal pedestrian collision. A child was  
24    hit right in front of the high school. And for several  
25    years they attempted to implement signage changes, flashing

1 light changes, other sorts of treatments. Eventually they  
2 moved towards a photo enforcement system.

3 This is a very high-volume, six-lane road with a  
4 raised median. It has a very high traffic count on a daily  
5 basis. It also has an automated flashing light system that  
6 changes the speed limit from 35 miles an hour to 45 miles an  
7 hour. So from 7:30 a.m. to 4:30 on school days the lights  
8 are all flashing the speed limit is 35. All other times it  
9 goes to 45 miles.

10 At the initial benchmark in October of 2005, the  
11 average speed of vehicles was 46.6. After the  
12 implementation of photo enforcement as of September of '08,  
13 the speed of all vehicles in the school zone dropped 10  
14 miles an hour, which is a phenomenal amount, 21 percent, and  
15 there have been no fatalities and no collisions since then.

16 This chart shows types of things they did in  
17 advance of implementing photo enforcement. It includes  
18 static signs, much more intense manual police enforcement,  
19 driver speed feedback signs, yellow flashing lights, and  
20 then ultimately they added photo enforcement, and you can  
21 see the drop in the speed most dramatically as shown here.

22 So the net effect is you can drop the speed as  
23 dramatically as is shown here. A typical Chevy Tahoe would  
24 stop 61 feet sooner or 3.6 car lengths. That's enough to  
25 save the person's life that they may hit. So overall driver

1 behavior changes were significant, and there have been no  
2 speed-related collisions to date in the school zone.

3 Finally, this shows the violation counts which  
4 started very high. The yellow bars are in school zone time  
5 and the blue bars are the non-school time. It shows a  
6 marked decrease. And this graphic is very much similar to  
7 the violation rates that you saw in the Philadelphia light  
8 program.

9 I'd be happy to take any questions that the  
10 members may have.

11 CHAIRMAN MARKOSEK: Thank you. Representative  
12 Costa.

13 REPRESENTATIVE COSTA: Thank you, Mr. Chairman.  
14 Thank you for testifying. On your Scottsdale example, you  
15 put the cameras on and speeding went down. You took them  
16 away, speeding went up. You put the cameras back up,  
17 speeding went down. Wouldn't it be a lot more cheaper for  
18 the Commonwealth to put blank cameras up?

19 MR. TUTON: Just dummy cameras you mean?

20 REPRESENTATIVE COSTA: Yes.

21 MR. TUTON: Well, the answer is no. You could  
22 do some dummy cameras.  
23 And that's with a sign. With the signage alone, you're only  
24 going to get a limited effect for a very limited period of  
25 time. When people know there's no enforcement to back it

1 up, the threat of enforcement, their behaviors will not  
2 change for the duration.

3 REPRESENTATIVE COSTA: But according to the  
4 study are you telling me there was enforcement for the  
5 extended periods?

6 MR. TUTON: Yes, there was enforcement. During  
7 the warning period there was warning letters for a month or  
8 two, and then during the enforcement period there was real  
9 live enforcement. Then they completely shut the program  
10 down, covered the cameras and let people know there was no  
11 more enforcement. And then they uncovered them and  
12 started --

13 REPRESENTATIVE COSTA: I wasn't aware of that.  
14 Thank you very much.

15 CHAIRMAN MARKOSEK: Okay. Representative Tim  
16 Solobay.

17 REPRESENTATIVE SOLOBAY: Thank you, Mr.  
18 Chairman.

19 The question about the red light intersection  
20 cameras, the safety concerns, there's an individual that  
21 many of us get e-mails from on a regular basis, very opposed  
22 to the -- that is very opposed to the intersection cameras.  
23 And my question is the statistical data that you get, does  
24 this show that those are very effective in what they do and  
25 pretty much downplays a lot of the criticism that's received



1 about those?

2 MR. TUTON: Yes. There is a vocal minority out  
3 there, but in reality there are 400-plus cities in the U.S.  
4 that use red light cameras and speed cameras and to a great,  
5 great success. The number is very reduced collisions and  
6 the total number of violations are greatly reduced with the  
7 use of these cameras.

8 And the evidence is right here in the  
9 Philadelphia program which has not only had in the first  
10 days of their program a 96 percent reduction in violations  
11 but also a significant reduction in collisions and injuries.  
12 The evidence is that they do work.

13 REPRESENTATIVE SOLOBAY: Thank you.

14 CHAIRMAN MARKOSEK: Representative Mark  
15 Longietti.

16 REPRESENTATIVE LONGIETTI: Thank you, Mr.  
17 Chairman. A question on the enforcement side. My district  
18 is right on the border with Ohio. And one of the  
19 municipalities in Ohio got red light cameras and began to  
20 fine drivers for violations. Eventually that was challenged  
21 and they stepped away from doing that program.

22 I'm just curious if you have any light to shed  
23 on the fact that, as I understand it, the driver does not  
24 get identified. Are there enforcement issues that you have  
25 seen because of the fact that the driver is not identified?

1           MR. TUTON: In states where there's the right  
2 legislative treatment, these issues are dealt with. Again,  
3 in 23 of the 26 states the legislation implemented at either  
4 a local or a state level makes the violation the owner  
5 liability violation. And so to the extent that the statute  
6 is in place and makes it very clear on what remedies there  
7 are in terms of processing those violations, it's very  
8 straightforward and streamlined.

9           In some states even those that are registered  
10 owner violations there is an opportunity to nominate a  
11 driver or another person as the driver and to transfer the  
12 liability. And you can certainly do that in this situation.  
13 It all depends on what the Legislature decides to do with  
14 its legislation.

15           REPRESENTATIVE LONGIETTI: From your experience  
16 then the states where it has worked, is it because it's in  
17 the nature of this is a civil penalty fine, no points are  
18 assessed, it's not a criminal type offense even though it  
19 might be a low-level summary offense? Is that how it works?

20           MR. TUTON: That's the majority of the states  
21 and that's, you know, in our experience the best states are  
22 where it's a registered owner violation, not a driver  
23 violation and it is a civil penalty.

24           REPRESENTATIVE LONGIETTI: Thank you.

25           CHAIRMAN MARKOSEK: Any other questions? Adam,

1 thank you.

2 MR. TUTON: Thank you very much.

3 CHAIRMAN MARKOSEK: We appreciate it very much.  
4 It's good information.

5 Next we have PennDOT. Scott Christie, who's the  
6 Deputy Secretary for Highway Administration, a new job for  
7 him, a former district engineer here in the local area, and  
8 Glenn Rowe who's the Acting Director, Bureau of Highway  
9 Safety and Traffic Engineering.

10 While they're getting ready, I just want the  
11 members to know that we do have testimony submitted by Dr.  
12 Simon Washington, Professor, Department of Civil and  
13 Environment Engineering, Arizona State University. He  
14 couldn't make it here today so he did submit testimony.

15 So with that, Gentlemen, you may proceed when  
16 you're ready.

17 MR. CHRISTIE: Thank you, Mr. Chairman. And  
18 thank you, other members of the committee as well.

19 The Department of Transportation was asked to  
20 provide testimony to the House Transportation Committee  
21 regarding automated speed enforcement technology. We were  
22 asked specifically to comment on how current Pennsylvania  
23 laws treat speeding in work zones and school zones, provide  
24 some available statistics regarding the number of citations  
25 issued and fatalities related to speeding violations in

1 these zones, and to comment on automated speed technology  
2 legislation such as what was enacted in the state of  
3 Maryland.

4 I'll provide a bit of background and some  
5 summary of current laws, and then I'll turn it over to Glenn  
6 to go over some of our crash statistics and the other state  
7 legislation.

8 As a bit of background, in Pennsylvania the full  
9 automated speed enforcement without the presence of an  
10 officer is not allowed by current law and would require  
11 legislation. That was discussed by the Pennsylvania State  
12 Police. The only related exception right now for fully  
13 automated enforcement is in Title 75 3115 which is the  
14 automated red light enforcement for first class cities.

15 Also, there is in Title 74 8117 where the  
16 Turnpike Commission is authorized to utilize automated  
17 process to detect violations of its toll collection system.  
18 And this is a civil process. It's not really a citation but  
19 provides for collection of tolls and administrative fees.

20 PennDOT does utilize State Police enforcement  
21 assistance on select work zone projects as part of a MOU or  
22 memorandum of understanding between the agencies. And the  
23 primary purpose, as discussed by the State Police, is to  
24 warn those motorists approaching a work zone to slow down  
25 and prevent potential work zone-related crashes, especially

1 when traffic queues are involved because those are some of  
2 the more deadly crashes that do occur.

3 In 2008 PennDOT expended \$7.3 million for this  
4 assistance on construction and maintenance projects, and  
5 during those efforts over 8800 citations and 7300 warnings  
6 were issued. And there were 105 DUI arrests as part of this  
7 work zone assistance as well. And funding for this, for  
8 your information, does come from the individual construction  
9 projects, or, in the case of a maintenance project, it comes  
10 from our maintenance fund.

11 But I do have a -- for those that are  
12 interested, I do have a breakdown of the money. Of the 7.3  
13 million, 700,000 was from the maintenance funds and about  
14 6.6 million were from the construction funds. And if you're  
15 looking at the construction funds, the maintenance funds,  
16 the breakdown of federal and state would be about 5.3  
17 million would be federal dollars and about 2 million state  
18 dollars.

19 Related to the current laws, there are several  
20 current laws in Title 75 dealing with the speeding in work  
21 zones and school zones as follows: Section 1535 is the  
22 schedule of the convictions and points, including school  
23 zones and work zones. Section 3326 is where you have the  
24 double fines in the work zones and in highway safety  
25 corridors. Section 3365 is the special speed limitations

1 that include the school zones and the active work zones.  
2 And Section 3368 is where the speed timing devices would be  
3 utilized.

4 And I'll turn it over to Glenn to go over the  
5 crash statistics and the other ones.

6 MR. ROWE: Thank you, Deputy Secretary Christie.  
7 I'll be sharing some facts and some of the numbers here on  
8 crashes. And some of it will be redundant, but it  
9 reinforces the previous two presentations.

10 In 2008 we have 25,000 -- a little over 25,000  
11 injuries and unfortunately 1,468 people lost their lives on  
12 highways in Pennsylvania in that year. Out of the work  
13 zones, 1,422 crashes, 23 fatalities, as the Major reported.  
14 In school zones to the best of our knowledge, and this is  
15 based on the records that are submitted by the police who  
16 report these, 230 crashes in school zones, and 1 fatality.  
17 And that's when the school zone is activated.

18 We did find some records that showed that there  
19 were school zone crashes on Saturdays and Sundays, which I  
20 think is incorrect, and we subtracted those out. So that's  
21 why I say to the best of our knowledge this is what we have  
22 for school zones.

23 When we look at speed-related crashes, there's  
24 actually two types of violations. One is driving too fast  
25 for conditions and the other is speeding. Driving too fast

1 for conditions, 18 percent of the crashes, 20 percent of the  
2 fatalities in 2008; and speeding consisted of 2 percent of  
3 the crashes and 12 percent of the fatalities.

4 In work zones in 2008, driving too fast for  
5 conditions was a prime factor for 23 percent of the crashes,  
6 17 percent of the fatalities; and speeding was a prime  
7 factor for 1 percent of the crashes and none of the  
8 fatalities.

9 For school zones in 2008, driving too fast for  
10 conditions was the contributing factor for 11 percent of the  
11 crashes and none of the fatalities. Speeding was a prime  
12 factor for 2 percent of the crashes and the only fatality on  
13 record that occurred in a school zone.

14 The Chairman asked us to look at other states  
15 and also Maryland legislation. What we found, and this was  
16 consistent with what Mr. Tuton presented, was the vast  
17 majority of speed enforcement it's really locally based  
18 across the country. A few states do have a statewide law.  
19 So it's community-based and most of it is red light running  
20 enforcement.

21 According to the Institute of Highway Safety, in  
22 May 2009, 428 local communities had a red light camera  
23 program. Forty-nine local communities had a speed camera  
24 program. As you heard, Arizona also used speed cameras on  
25 all their state roads. Illinois, Oregon and Washington use

1 speed cameras in work zones, and I understand Illinois and  
2 Oregon also have a caveat in their law that requires a  
3 uniformed officer to be present in the work zone.  
4 Maryland does have an existing law, and it is geared  
5 primarily towards residential streets with speed limits 35  
6 mile per hour or less and school zones.

7           We did take a look at Maryland's legislation  
8 which will go into effect October 1st, 2009, and this  
9 authorizes speed monitoring in school zones and work zones  
10 across the state. Local jurisdictions, right now I  
11 understand it's exclusive to a couple counties, but it's  
12 going to allow any of the counties to approve speed cameras  
13 if they authorize the law.

14           In work zones speed cameras may be placed along  
15 expressways with controlled access where there's speed  
16 limits greater than 45 miles per hour. They cannot use  
17 speed cameras in major bridges or tunnels. A citation would  
18 only be issued if the driver is exceeding the speed limit by  
19 more than 12 miles per hour. They must have conspicuous  
20 signing to give advance notice to the drivers.

21           And upon implementation of the program, as you  
22 heard in the previous presentations, they normally have a  
23 window of warnings and they would have to have a 30-day  
24 window. Fines cannot exceed \$40, and that would be set by  
25 the district court.



1                   So with that I will turn it back to the Deputy  
2 Secretary to give final comments on speed enforcement.

3                   MR. CHRISTIE: Thanks, Glenn. What I guess I'm  
4 going to call this is the three C's, comments,  
5 considerations and challenges as we're going forward.

6                   First, related to the automated speed  
7 enforcement, there are studies on speed enforcement such as  
8 by the Insurance Institute for Highway Safety that does  
9 document the effectiveness of speed cameras in reducing  
10 highway speeds and crashes. And there's a lot of it, but we  
11 cited some examples such as there's a June 2004 evaluation  
12 of the United Kingdom's extensive speed camera network which  
13 showed that the number of vehicles exceeding the speed limit  
14 dropped 71 percent at fixed camera sites and 24 percent at  
15 mobile camera sites. And speeding 15 miles per hour or more  
16 above the limit fell 80 percent at the fixed sites and 28  
17 percent at mobile sites.

18                   There's also a 2006 Cochrane Collaboration,  
19 which is an international organization, where they -- their  
20 review is referenced in the Insurance Institute for Highway  
21 Safety document that states that data from 21 studies found  
22 crash reductions ranging from 14 to 72 percent for all  
23 crashes and 40 to 45 percent for crashes involving  
24 fatalities and serious injuries at the sites where they were  
25 using the automated speed enforcement.

1                   And there obviously have been documented  
2 benefits to using this technology, but there are also some  
3 challenges and issues as we look to do any kind of  
4 implementation.

5                   First, what was mentioned by the State Police is  
6 that there are various legal restrictions, including  
7 constitutional, legislation and evidentiary issues that have  
8 to be resolved. There's also the perceived lack of fairness  
9 that was discussed that the vehicle owner is identified but  
10 not the driver; also, that the perception that these  
11 automated systems are just being used to generate revenue  
12 rather than to improve safety. So it's critical that speed  
13 cameras be used to deter unsafe speed in high-risk  
14 environments where there are crashes and consequences of an  
15 increased fatality occurring.

16                   The speed cameras do have to be accurate. There  
17 will have to be processes in place to ensure that the  
18 equipment and the issued citations are accurate and that we  
19 don't undermine public confidence.

20                   Speed cameras really -- it was commented by the  
21 State Police, the speed cameras really shouldn't be  
22 substituted for human enforcement because there are a lot of  
23 other violations like aggressive driving behaviors, DUIs,  
24 drugs and other violations, while speed cameras are only  
25 able to look at the speed itself.

1                   There are some additional concerns related to  
2 school zones. First, the school zones are not consistent  
3 across the country. Driver compliance with a  
4 15-mile-per-hour speed limit in a school zone is challenging  
5 and is low. Speed limits in school zones vary by time of  
6 day, by day of the week, and by the holidays, so that's also  
7 a challenge. School speed limits can be posted on static  
8 signs or flashing warning signs, and when it's posted on  
9 static signs it's a challenge for the driver to understand  
10 whether you're within the operational hours of the speed  
11 limit.

12                   And now all -- currently not all school zone  
13 speed limits meet the requirement that some students walk to  
14 school. Some schools have made a decision to bus all the  
15 students which then would void the justification for an  
16 existing school zone speed limit.

17                   There are some other considerations that I'd  
18 like to close with. One is that -- I think it was mentioned  
19 by the State Police as well, that the legislation should  
20 really only authorize the use of the technology and not  
21 mandate it. It would make it a tool for the State Police.  
22 Hopefully the legislation would tie into applicable Title 75  
23 laws regarding the citations. One area would be what would  
24 be the tolerance that the technology would be using. For  
25 example, 10 miles or 12 miles over the speed limit.

1           The speed camera owner or the administrator  
2 would have to be identified. There's also a lot of vendors  
3 that might be qualified to provide the technology and the  
4 Commonwealth procurement process would have to comply with  
5 that.

6           We would look at the revenues collected should  
7 be used to support the operations of these systems. There  
8 would have to be a systematic -- in our opinion, systematic  
9 process for site selection to be developed so we don't make  
10 an arbitrary, capricious decision just to put it at any  
11 given location. The location should be targeted where  
12 there's a safety concern. And at selected sites the posted  
13 speed limit would need to be verified for compliance with  
14 traffic engineering principles and standards or it wouldn't  
15 be valid.

16           And, in conclusion, as everyone knows, the  
17 implementation of any new initiative requires funding and it  
18 requires resources. And you well know PennDOT currently is  
19 focused very heavily on maintaining the roads and bridges  
20 right now, and we would be concerned with any redirection of  
21 resources for the department if we were looking to implement  
22 any kind of new technology.

23           And thank you for the opportunity, and we'd be  
24 happy to answer any questions.

25           CHAIRMAN MARKOSEK: Okay. Thank you. I have

1 two quick questions, and I know Representative Carroll has a  
2 question.

3 First of all, I guess the first one would be for  
4 you, Mr. Christie, the second one for Mr. Rowe.

5 Representative Siptroth had asked a question about numerous  
6 complaints or whatever about shutting off the work zone  
7 lights and construction in progress kind of lights that  
8 many of us run across.

9 And then the other question I have for Mr. Rowe.  
10 You mentioned the tallies in work zones being 23 last year.  
11 Were they the workers or do you know how many of those were  
12 workers and how many of those were the drivers or passengers  
13 traveling through the work zones?

14 Maybe Mr. Christie could answer that first.

15 MR. CHRISTIE: Sure. With regard to the lights,  
16 the activated lights, that is an issue that as the district  
17 executive of District 8 your concern with that it is  
18 appropriately activated and deactivated in work zones.  
19 That's actually targeted with our construction inspection  
20 crews to make sure that they go out and work diligently with  
21 the contractor to make sure they do that appropriately.

22 We will go back out statewide and make sure that  
23 that's highlighted and duly noted, those comments that it  
24 isn't being done appropriately, and we'll make sure that  
25 happens.

1 CHAIRMAN MARKOSEK: Thank you. Mr. Rowe.

2 MR. ROWE: I don't have that statistic on hand,  
3 but I think the Major did comment about 3 were workers. I  
4 think that was in his testimony looking back right now.

5 CHAIRMAN MARKOSEK: So the majority of those 23  
6 were drivers and passengers moving through there and having  
7 accidents in the construction zones?

8 MR. ROWE: Typically, yes.

9 CHAIRMAN MARKOSEK: Representative Mike Carroll.

10 REPRESENTATIVE CARROLL: Thank you, Mr.  
11 Chairman.

12 The City of Philadelphia is really the only  
13 jurisdiction in the state that has the red light cameras.  
14 Could you walk through for me, one of you, what the process  
15 is from the taking of the picture to the notification of the  
16 defendant, to the Philadelphia Traffic Court's  
17 disposition -- I assume that's where it goes -- and then  
18 notification by the traffic court to the Commonwealth, if  
19 there even is any. Can you walk me through that process?

20 CHAIRMAN MARKOSEK: Actually, I think that might  
21 be a better question for the previous --

22 MR. CHRISTIE: Yeah. We can work with the State  
23 Police to get that.

24 REPRESENTATIVE CARROLL: Let me ask the question  
25 differently. Does the Commonwealth even get notified of the

1 disposition of the citation with traffic court? Does  
2 PennDOT even get a notification?

3 MR. CHRISTIE: No. It turns out to basically be  
4 a fine, and it's issued to the driver or the owner of the  
5 vehicle. I do know that the City of Philadelphia does have  
6 a third party who basically operates the cameras for them,  
7 does the processing and sends out the citations.

8 REPRESENTATIVE CARROLL: So you don't know if  
9 there's interaction between Philadelphia and the  
10 Commonwealth and PennDOT?

11 MR. CHRISTIE: Our interaction is that they do  
12 provide us statistics because we are interested in seeing  
13 how effective the cameras are.

14 REPRESENTATIVE CARROLL: And that's something  
15 that's similar with the Turnpike Commission and PennDOT with  
16 respect to the toll booths?

17 MR. CHRISTIE: That's correct.

18 REPRESENTATIVE CARROLL: Okay. Thank you.

19 CHAIRMAN MARKOSEK: Okay. Anything else? Does  
20 the staff have any questions? Okay.

21 Gentlemen, thank you very much. It was very  
22 good testimony. We learned a lot from you that we have to  
23 digest. We appreciate all the testifiers very much. Thank  
24 you very much.

25 Just for the members, there will be no

1 additional meetings this week. We had sent an e-mail out  
2 about a potential meeting to occur. But I want to thank  
3 everybody, and the meeting is adjourned. Thank you.

4 (Whereupon, the hearing was concluded at 10:50  
5 a.m.)

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1 I hereby certify that the proceedings and  
2 evidence are contained fully and accurately in the notes  
3 taken by me on the within proceedings, and that this copy is  
4 a correct transcript of the same.

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Pamela L. Packer

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Court Reporter-Notary Public

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