

**COMMONWEALTH OF PENNSYLVANIA**

**HOUSE OF REPRESENTATIVES**

**HOUSE TRANSPORTATION COMMITTEE**

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**MONDAY, NOVEMBER 14, 2011**

**10:00 A.M.**

**PUBLIC HEARING ON**

**AUTOMATED RED LIGHT ENFORCEMENT PILOT PROGRAM**

BEFORE:

HONORABLE RICHARD GEIST, MAJORITY CHAIRMAN  
HONORABLE MICHAEL McGEEHAN, MINORITY CHAIRMAN  
HONORABLE TIM BRIGGS  
HONORABLE MIKE CARROLL  
HONORABLE PAUL COSTA  
HONORABLE SETH GROVE  
HONORABLE GARY HALUSKA  
HONORABLE TED HARHAI  
HONORABLE KATE HARPER  
HONORABLE C. ADAM HARRIS  
HONORABLE DOYLE HEFFLEY  
HONORABLE DICK HESS  
HONORABLE DAVID HICKERNELL  
HONORABLE MARK KELLER  
HONORABLE MARK LONGETTI  
HONORABLE JIM MARSHALL  
HONORABLE RON MARSICO  
HONORABLE TONY PAYTON  
HONORABLE TIMA PICKETT  
HONORABLE JEFF PYLE  
HONORABLE MARGUERITE QUINN  
HONORABLE STEVEN SANTASIERO  
HONORABLE DOUGLAS REICHLEY  
HONORABLE CHELSA WAGNER  
HONORABLE KATHARINE WATSON

STAFF IN ATTENDANCE:  
MEREDITH BIGGICA  
ERIC BUGAILE

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WRITTEN TESTIMONY SUBMITTED BY:

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION  
PENNSYLVANIA STATE TRANSPORTATION ADVISORY COMMITTEE  
**DENNIS LEBO**, GANNETT FLEMING

PHILADELPHIA PARKING AUTHORITY  
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**PHINEAS BAXANDALL, PH.D.**, SENIOR ANALYST AND PROGRAM DIRECTOR  
FOR TAX AND BUDGET POLICY

CHAIRMAN GEIST: I'm going to call this hearing to order, we're going to dispense with the roll call. I'd like to remind everybody that this hearing process is being televised and also streamed so Lou be extremely careful. First up, before we have PennDOT speak I'd like to go back and do just a little political history here. When the idea of the red light cameras first came up, I was charged with our leadership of having to come up with something that would engineering-wise work and at the same time never ever be considered as a revenue raising tool. And I think we accomplished that very well, and now we're in the process of either expanding or extending Philadelphia and I think today we're going to hear some great testimony. I'm going to ask Members of the Committee if they have questions to let Eric know, and Chairman McGeehan, do you have anything you'd like to say now? Alright, Lou for you guys and Deputy Secretary Christie, you're on.

SECRETARY CHRISTIE: Thanks, Mr. Chairman. I'll be going first here among our group of three. First, I'd like to begin by thanking the House Transportation Committee for the opportunity to participate and provide data regarding the automated red light enforcement program which I'll be calling RLE for the rest of the time hear, to save a little time. And additionally, I'd like to thank the efforts of Lou Schultz and Dennis Lebo and also the State Transportation Advisory Committee for their efforts in performing an independent, complete evaluation of the RLE program within the City of Philadelphia. First, a little bit on the background: the purpose, as you mentioned, of RLE in Pennsylvania is to improve safety at signalized intersections by providing automated enforcement at locations where red light running has been an issue. And the way this is working right now is currently, the City of Philadelphia, with the RLE system administrator being the Philadelphia Parking Authority, initially recommends RLE locations and request approval to use RLE at problematic intersections. The

Secretary of Transportation must improve each intersection prior to implementation of RLE. What happens then is the Department evaluates the intersection crash history; we perform a field evaluation prior to the Secretary considering approval. To date, 21 intersections in the City of Philadelphia have been approved and 19 are currently operational and we expect that two others will become operational by the end of the year. I'll hit revenue right now, but I'll also mention it in a future comment. Revenue has been generated by RLE except for the systems administrators operation and maintenance costs is taken out and any revenue that is taken out is deposited quarterly into a motor license fund account. On October 30<sup>th</sup> of 2010, as was required, the Department established a regulation creating a RLE funding program that used any revenue that was generated for competitive safety and mobility projects. And I'll mention that here in a moment. Let's talk about the results to date, with regard to safety first. There are several indicators that demonstrate the RLE programs effectiveness in improving safety related to red light running enforcement, and the following conclusions regarding the City of Philadelphia's program should be considered. First, we have evaluated what I call reportable crash data surrounding the year 2010 for the 10 RLE intersections that have at least three years of before and after data. We wanted to have at least three years of data, before and after data, as we do the evaluation. The evaluation breaks down to: three intersections had five years of before and after data; two intersections had four years of before and after data; and five intersections also had three years of before and after data. The data indicates overall a 4% reduction in reportable crashes, but a 24 to 25% reduction in injury related crashes. The Department also evaluated the red light violation rates at the 19 intersections and found that the average violation rate per day was a little over 29, between 29 and 30, violations per day. Now, after evaluating the average daily traffic at all of the RLE intersections, we've found that you needed at least 3,570 vehicles

going through to generate one violation; therefore, if you are looking at the amount of money needed to break even and not cost some municipality money, you would need to have at least have 41,000 vehicles a day passing through the intersection, which would generate 11 violations per day. That's what you would need to break even based on the maintenance and operation costs that occur in administering this program properly. But based upon the 2011 parking authority annual report, in an evaluation of the 15 RLE intersections with at least 18 months of before and after data, what you find is we've got a 50% reduction in violations, when you compare that first month with the eighteenth month after the RLE was implemented. And the most significant reduction occurs between months 12 and 18 where you get a 40% reduction. Meaning that over time the violations drop off by at least 50%. The annual reports violations also indicates right now that even within the City of Philadelphia, seven intersections currently don't meet even a breakeven point. The Department also performed a City-wide evaluation, meaning just looking at the entire City of Philadelphia, and taking a look at the red light, the larger impact that this red light program had on the City of Philadelphia and after reviewing a minimum of three years of before and after red light running reportable crash data, we found that there was a 15 to 16% reduction in red light running crashes overall throughout the entire City. The Department does support all the recommendations made to continue and expand the RLE program specified in the November transportation advisory committee final report. Brief mention on the RLE program management: if RLE is expanded beyond the City of Philadelphia, the Department does recommend that all system administrators be consistently identified and accountability requirements be established in order to eliminate possible inconsistencies. With regard, I mentioned the financial before in the revenue, I'll talk about just the raw data on the financial part, the Department does receive, like I said, all the operational and maintenance cost

information from the parking authority in the annual report. Based upon the annual report, overall 45 million in revenue has been generated by RLE program. This is a little bit different than my written testimony, but the parking authority has indicated that they're overall, maintenance and operation costs, are about 24.5 million of that 45 million and the Department has received 20.35 million in revenue from all of the red light running enforcement program money that was generated. Now, when you add the two numbers up that doesn't equal exactly 45.54. The difference is in the end of the fiscal year, it's just a slight difference when you take into account the difference in the end of the fiscal year for the City and the Department. Also, there is about 8.1 million in unpaid violations that the Parking Authority still continues to try and maintain and to keep up its 80% collection rate. Now, with regard to what was done with the 20 million that came to the Department, the Department's funding metrics to date are as follows: we did go out with a first a solicitation and we received 300 applications requesting about 68 million dollars in projects, we did approve 128 applications totaling 16 million and they were awarded, 50% of that 16 million went to eight projects within the City of Philadelphia for about 8.4 million and the other 8.4 million, or the remainder, went to a statewide RLE funding programs and that was 120 projects from 116 municipalities. So, we tried to spread the money as wide ranging as possible across the state. These statewide RLE funding program awards were announced by Governor Corbett in April of 2011. Now, as far as the remaining money, we did go out with another solicitation and we received 306 applications requesting 27 million dollars. The available money is about three million dollars for this year and that gets split 50% to Philadelphia and 50% for statewide and we do expect to announce those sometime in December or the end of the year. The Department would like again to thank the House Transportation



Committee Members for the opportunity to present testimony and the data regarding the RLE program. Thank you.

CHAIRMAN GEIST: Thank you very much Scott. Lou, you're up.

MR SCHULTZ: Okay, thank you Mr. Chairman and good morning. I am Lou Schultz, the Chairman of the State Transportation Advisory Committee also known by our acronym TAC. We are pleased to have this opportunity to present testimony this morning on our latest study, evaluating the automated red light enforcement program. First, a little background about who we are at TAC: the Transportation Advisory Committee was created by Act 120 of 1970, the same legislation that established the Pennsylvania Department of Transportation and the State Transportation Commission. Our major role is to advise the Secretary of Transportation and the State Transportation Commission on key transportation issues in the Commonwealth. To accomplish this, we conduct studies and produce reports summarizing our findings and recommendations. Earlier this year I was contacted by Eric Bugaile, Executive Director of your Committee. Mr. Bugaile indicated that with the Commonwealth's legislation on red light cameras that were authorized for the City of Philadelphia expiring in December, that on behalf of Representative Geist, who is both your Chairman and also member of the State Transportation Commission, Eric requested an independent study of the effectiveness of the cameras to assist the General Assembly in your consideration to continue and/or expand the program. After discussing the topic with PennDOT and the entire Transportation Advisory Committee, we proceeded with this study through our consulting firm, Gannett Fleming. A study team was formed which included TAC members from the City of Philadelphia, as well as staff from the House and the Senate Transportation Committees. The study was completed this fall, was approved by the full TAC on October 6<sup>th</sup>, and was adopted by the State Transportation

Commission on November 3<sup>rd</sup>. I'm now going to turn to Dennis Lebo from Gannett Fleming who headed up our study team. Mr. Lebo will provide an overview of the study process, our findings, and our recommendations, we will be glad to answer any questions you may have at the conclusion of his presentation.

MR LEBO: Okay, good morning. I'm going to be going through a few slides here just highlighting some of the things in our study and I may gloss over a few points that Deputy Secretary Christie already made so we're not redundant. Just a little bit about how things are working in Philadelphia from our look at it: Philadelphia, of course, is the only location being a first class City in Pennsylvania that is authorized to have this. The Philadelphia Parking Authority was designated as the administrator of this, after that they went out and procured a vendor for this, that is American Traffic Solutions, they're actually the largest vendor for these sort of things in the country and they actually are servicing about 300 communities doing these same sort of things throughout the nation. PennDot has involvement in it as Mr. Christie has indicated. This is just showing you a typical intersection in Philadelphia and one of the reasons I wanted to show you this is just to show that these intersections, this was the very first one, Roosevelt Boulevard and Grant Avenue, these intersections in Philly that have these RLE cameras, most of them are quite complex intersections. Roosevelt Boulevard is a 12 lane divided Boulevard. Grant Street is a 6 lane facility, so it's quite a complicated location. As Mr. Christie had indicated, there's 21 approved locations, 19 currently operating. You can see from the slide that they're distributed throughout different locations in Philadelphia, and this is just looking at some of the camera shots that are actually taken of violations. What happens is, as a vehicle, being the dark SUV in the foreground there, crosses the stop bar, the equipment automatically takes a photo. Once the light is red and they cross that stock bar, they take another photo when

that vehicle is completely into the intersection. Now, back at PPA what happens there is, a technician is actually viewing that at times and they are able then to crop out the license plates, and from those license plates go into a database and actually identify the owner of that vehicle to be able to prepare the violation. Now, when we say this is an automated system, it is automated in getting those camera shots, but from there on there's a lot of human interaction. There's a technician at PPA, there's a supervisor who verifies that, and the Philadelphia Police verify that before a violation is actually issued. We talked a little bit about the revenue before, so I won't say too much, but as the numbers of intersections have increased in Philadelphia, the revenue has increased, so have the expenses. In the last full year of operation with the last annual report from PPA, there was 13.7 million generated in revenue, of that there was over 6 million was expenses that PPA had and about 2/3 of that is the vendor expenses. As we said before, this is really something we looked at as a safety program. So, we looked at some of the safety benefits and Mr. Christie had gone over some of those, but two different things we looked at. First of all, the violations: we looked at 13 different intersections that had at least a year and a half of data that we could look at, and what it showed is that generally – this is a composite of those 13 intersections – that violations start high and after about a year they level off at about half what they started at. So, from what we're seeing is that that is deterring people from running red lights here in Philadelphia at these intersections. It also has an impact on the revenue coming in, because the revenue also decreases as there's less people running. And looking at the crash statistics, I won't repeat a lot of the things, but basically what we found is that crashes decreased and different types of crashes generally, most of those, decreased as well. We also looked at national statistics and that's generally consistent with the national statistics that we saw, in the national statistics there were some incidences where there could be a little bit of increase in rear

end accidents, but the more serious accidents the angle accidents and things like that are generally reduced. Now, certainly more years of safety information would be helpful in making a determination, but we did have at least 10 intersections that had three years or more of crash data, after early implementation. Just a word, I won't repeat, I think Mr. Christie covered the early funding program pretty well, but again there was 8.4 million given out in the first round to about 120 projects and that was just part of 300 applications that came in for about 68 million. There was a lot of demand. These projects were mainly safety and mobility projects throughout the state and like amount to that also went back to Philadelphia for approved projects that occurred on Philadelphia streets and Philadelphia intersections there. We did look at other states, and Pennsylvania is one of 25 states that do allow RLE in some form or another. And what we found overall from looking at some of the other state programs is, number one, is that Pennsylvania's legislation was very well written. Because the legislation was well written it was able to avoid some of the pitfalls that some of the other states have. Some of the other states have issues, for example, because you have to identify the driver and not just the vehicle. Identifying the driver gets into a lot of things that have caused problems in some other states like California, Arizona. Another thing is to have a flat fee paid to the vendor, rather than a fee to the vendor per violation. That just tends to make it seem like it's a money making thing that the vendor will want to see more violations out there and things like that. So, a number of things in the Pennsylvania legislation we found that was very good. Now, we were aware that there is legislation pending in the House and the Senate – I know the Senate has passed a piece of legislation – both bills would expand RLE to additional cities throughout Pennsylvania, and one of the things we looked at, just so everybody is aware, and these are some figures that were provided by PennDOT, but this is from the National Highway Traffic Safety Administration, it's

aggressive driving rates, and if you look at aggressive driving rates and if you look at aggressive driving rates in Philadelphia and Pittsburgh you'll see that they're so much higher than most of the other Cities across the state. What that means is the likelihood of having as many people running red lights is not as great. So, what we're seeing is that from the Philadelphia data is you would have to have somewhere between 10 and 11 violations per intersection per day for that intersection to be self sustaining. Not likely to have that at a lot of locations throughout the state other than perhaps Philly and Pittsburgh. I won't go into that any more, get into our findings, and I've pretty much covered most of this again: violations drop in half, crash data seems to show that crashes do decrease, Pennsylvania legislation we feel is well written, the RLE funding program has been good. As far as our recommendations, what we have said in our report is, first of all, that we believe that RLE in Philadelphia should be continued. It appears to be a well run program there, it's producing good results from everything we can see on the safety side and it is something that we suggest is extended. And also, as far as expansion as I said before, it's not a revenue boom throughout the state necessarily, but it is something that is worthy of looking at for expansion as well. And the RLE funding program, we believe also, is worthwhile. The program it is providing funding for a lot of good projects across the state. Any questions?

CHAIRMAN GEIST: Yes, we have questions. Thank you very much for the presentation. I just have one, Lou: are you satisfied that all the information that you used to compile this was dead on accurate, bullet proof?

MR SCHULTZ: I am, yes sir.

CHAIRMAN GEIST: Okay, thank you. First question to Representative Longietti.

REPRESENTATIVE LONGIETTI: Thank you, Mr. Chairman and thank you for your testimony. Just trying to crunch some of the numbers and I noticed in the one slide it showed a

24% reduction in crashes and I'm assuming that is the same number that Mr. Christie had testified to the 24.36% reduction in overall injury crashes?

MR LEBO: I believe it is consistent with that, yes.

REPRESENTATIVE LONGIETTI: And just trying to sort through that, later on in this testimony you talked about a 15.7% reduction in red light running crashes, so some of that 24%, would that be non-red light running crashes?

MR CHRISTIE: I think what it is, that the data that we have within the Department, and I believe what Lou and Dennis have are reportable crashes. Reportable are both injury crashes and also crashes where the vehicle is completely disabled so you can't really drive it away. So, some wouldn't result in injury, but they would still result in the vehicle being damaged where they couldn't drive it away. It's just not an injury.

REPRESENTATIVE LONGIETTI: And I guess what I'm trying to figure out is, what number we ought to be focusing on, first blush to me the 15.7% reduction in red light running crashes sounds like the most appealing because it's dealing with somebody running a red light and resulting in a crash. Is that more the number we ought to be looking at?

MR CHRISTIE: Yes, I would say that you can conclude that. I look at as all the data as important and knowing I'm going to (have a) reduction in injuries and a reduction in crashes in both data points are significant.

REPRESENTATIVE LONGIETTI: I appreciate that, I guess what I'm trying to get at is there can be a whole lot of various reasons why crashes went down. I don't know what all those explaining factors are, one of which could be a red light camera. And it seems to me that the red light running crashes are the one I ought to be looking at, because there might be some other factor causing a reduction in reportable crashes or injury producing crashes.

MR LEBO: We looked at a number of different types of accidents and most of them, most of the categories were down, I think the head ons were basically a wash, but again the more years of information would be helpful in this, but the key thing is that it did indicate that crashes were down at those intersections related to red light running, I think that is relevant.

REPRESENTATIVE LONGIETTI: How's is that determined? How's it determined that's it's a red light running accident?

MR LEBO: It's based on what's reported on that accident.

MR CHRISTIE: It's based on what's reported in that accident by the police report.

REPERSENTATIVE LONGIETTI: And that 15.7% reduction related crashes – I'm assuming some of those are injury producing crashes – some of those are not injury producing but reportable accidents?

MR LEBO: That's right.

REPRESENTATIVE LONGIETTI: Final question deals with the slide on aggressive driving and your comments, that it appears, at least from the data, that this program would not be self-sustaining beyond Philadelphia, Pittsburgh area. Who pays when it is not self-sustaining?

MR LEBO: Well first of all, what the numbers show is that on a large scale, it probably wouldn't be self supporting. That isn't to say that at individual intersections, here or there they may qualify, but really, what we were seeing is that there needs to be a better analysis of the intersection before you just go out and start putting cameras in. We were suggesting in our study that there be an engineering look at the intersection and that it would be looked at from crash data and things like that, including whether the intersection is appropriate for putting the cameras in. So, there could be locations here and there just not on a wide scale basis probably, it's not something that's a...

REPRESENTATIVE LONGIETTI: I guess what I'm getting at is the self-sustaining part of it. I live in a not real populated area, although I have three third class cities, and if I'm hearing you all correctly, you need to have 10 to 11 violations a day in order for it to be self sustaining, and so if you have an area like where I live, where there is not a lot of volume of traffic, it sounds like it probably wouldn't be self sustaining, even if the intersection looked like a good intersection to put one in.

MR LEBO: It may not be. There could be a reason safety wise to put that in, but the program could support some of those overall, but you can't do a whole lot of those and still have a program that at least breaks even, so.

REPRESENTATIVE LONGIETTI: Who pays if a particular – let's say its expanded and it comes to Mercer County and it's decided to put one in in the City of Sharon and it's not self sustaining; who pays for that?

MR LEBO: I think that would have to be determined.

REPRESENTATIVE LONGIETTI: Thank you.

CHAIRMAN GEIST: Representative Costa?

REPRESENTATIVE COSTA: Thank you Mr. Chairman. Before I start, I want to thank Chairman Geist for having this hearing this morning to bring out this information, and Mr. Lebo you made a comment that when this legislation was originally drafted, it was done right, and we did a lot of good things and again, without sounding like a brown nose, it's a credit to Chairman Geist and former Chairman Keith McCall who worked through this process with Denny O'Brien years ago, that we crafted good legislation, thank you for that comment. But my question is; how much do we pay for these cameras at intersections?



SECRETARY CHRISITE: I don't have the specifics per camera. We can get that information; that comes out of the annual report.

MR LEBO: The Philadelphia experience and the numbers in the report here somewhere, but I think it's in the four million range is what they're paying the vendor to put that equipment in and operate that for the 19 intersections that there are.

REPRESENTATIVE COSTA: I'm actually looking per intersection. Because you guys keep bringing up that it's not self sustaining, I'd like to know what that cost is and I'm thinking also that because of the accidents that are being reduced and, obviously, the fatalities that are being reduced, that it might be worth paying this money to have these there. I know Mr. Fenerty is up next and hopefully he'll have a better number, so, 4,445 dollars per camera? Thank you Mr. Chairman.

CHAIRMAN GEIST: And now I would like to turn it over to Judge Reichley.

REPRESENTATIVE REICHLEY: Thank you, just a few quick questions, and maybe Mr. Lebo I'll start with you. Probably, like a number of the other Members of the Committee, I have been receiving a deluge of faxes and information from opponents of the red light program that claim that rear end crashes actually increase with the installation of red light cameras. Would you like respond to that?

MR LEBO: Some of the national data that we looked at would indicate in some of the studies that were done that, yes, rear end crashes did increase. Our look at the data we had, the available data we had again for a limited number of intersections that we had enough post-RLE data, we did have some slight reductions in rear end as well. But again, its limited information, but some of the national studies did show some small increases in rear end crashes, but less of the more severe type accidents being angle crashes and things like that.

REPRESENTATIVE REICHLEY: Because it would seem that the table that you had here at one page shows a reduction of rear end crashes at RLE +1+2+3, so you can explain what references to that table?

MR LEBO: Yes that is showing crashes the three years before and the three years after RLE and that table basically show, again, the different types of accidents. In that case we did show, for the data we did look at, there was a 16% decline in rear ends.

REPRESENTATIVE REICHLEY: Okay, was that based upon a limited analysis of the RLE intersections in Philadelphia, or was it of all intersections in Philadelphia that are RLE?

MR LEBO: That was the intersections in Philadelphia that were RLE that we had three years of post-RLE data, which was only 10 of the intersections.

REPRESENTATIVE REICHLEY: Okay, the other question I have is, on the chart where you show a lot of violations in Philadelphia and not as many in Pittsburgh: I'm from Lehigh Valley, so the statistic you have for Allentown, I'm curious about whether that table is suppose to show that there would not be a feasibility behind the installation of RLE in the Allentown area, or is it a situation where the municipality has to evaluate which intersections you would install these at?

MR LEBO: I couldn't say precisely that certain intersections in Allentown would not be good fits for RLE, would not be, on a wide scale it would not necessarily be self supporting. But again, there could be individual intersections in some of our large cities even outside of some of our large cities, depending on the volume of traffic, and of course how aggressive the driving is. Certain locations could be viable locations.

JUDGE REICHLEY: Okay, thank you Mr. Chairman.

CHAIRMAN GEIST: Representative Carroll?

REPRESENTATIVE CARROLL: Thank you Mr. Chairman, thank you for the presentation, Dennis. To follow up on Representative Reichley on the slide related to the slide aggressive related crash rate: I need a better explanation on, what exactly is aggressive driver crash rate and what do these numbers signify 0, 50, 100, 150? Can you just explain what exactly this is trying to show?

MR LEBO: Yes again, this was information from the National Traffic Safety Administration and it is showing the amount of, it is an indicator of the amount of aggressive drivers in those locals. And what it basically showing is that, and I think it would be the same whether you're in Pennsylvania or outside of Pennsylvania, but the larger the urban metropolitan area, you're likely to have more aggressive driving going on in those areas as you are in some of the smaller cities.

REPRESNETATIVE CARROLL: So, it's really a reflection of the total population of the total vehicle traffic count more than it is the actual aggressiveness of an individual driver or rate based on the amount of folks in the population? It's very possible, I guess, that Allentown could have more aggressive drivers than Philadelphia or Pittsburgh, except Allentown doesn't have as many gross number of folks as Philadelphia and Pittsburgh?

MR LEBO: I really am not sure. I can't really speak to that.

REPRESENTATIVE CARROLL: Then secondly: the enforcement mechanism I saw in the slide presentation, it was a woman who was looking at the intersection. Does that mean that in every instance, then, if we had red light cameras in other third class cities there would have to be an equivalent of the Philadelphia Parking Authority with a live person monitoring these cameras 24/7?

MR LEBO: There would have to be some sort of an administrative organization set up to be able to monitor that. That is correct and that is an expense to the program.

REPRESENTATIVE CARROLL: And there is no technology that exists that has an alternative to a live person sitting at a desk looking at these cameras?

MR LEBO: I guess if you just took the word of the cameras, but I believe in Pennsylvania that a police officer would be required to validate that.

REPRESENTATIVE CARROLL: For the Turnpike, as it is my understanding,- the citations are issued directly as a result of a pass-through on EZ-Pass without an actual live person, other than just the collection of the ownership of the vehicle. It just seems to me that if we're going to go down the path of additional third class cities, you know, the whole business of how we figure out the issuance of citations is going to have to be examined carefully.

CHAIRMAN GEIST: Mr. Chairman?

CHAIRMAN McGEEHAN: Thank you very much, Mr. Chairman. I won't polish the apple, cause Representative Costa left no room for any other individuals, so I'll just dispense with that and begin, if I may, and it has to deal with the funding formula: I saw the interesting national map of the states that have red light and speed cameras, red light cameras and none at all, and I'm counting about a dozen of those states that currently have red light cameras, and I'm interested in a red light formula. What is PennDOT's cost in relation to this program in Philadelphia currently?

SECRETARY CHRISTIE: We've been looking at that our cost is really just related to the administration of the, really just evaluating, the intersections. There's a slight cost of that and then also evaluating the projects as they come in and ranking the projects, and then selecting them.

CHAIRMAN McGEEHAN: Is there a percentage?

SECRETARY CHRISTIE: I'd have to get you that information. It's a nominal cost. It would be quite low; it would be less than probably 5%.

CHAIRMAN McGEEHAN: Which then leads me to my next question: if PennDOT has a nominal cost, then why is it that just about 50% is being returned to the Commonwealth? When most of that, all of that revenue, is generated in Philadelphia itself? I have a problem with that and I'm wondering if other states have a similar formula that return almost 50% of that revenue to the Commonwealth, rather than back to the local communities where those violations are issued and where most, I would imagine, where most of the violators are residents. Is there a similar funding formula?

SECRETARY CHRISTIE: I can't speak to the other states, I would just say with regard to the split of the money that's consistent with all fines. So, if you got a ticket for running a red light from a State Trooper or an officer in a City, that split is exactly what would happen if it was done that way versus with the camera system. The same thing goes for all the other violations. That split is within the vehicle code and it's just adhered to based upon that.

CHAIRMAN McGEEHAN: That answers my question, thank you. Thank you, Mr. Chairman.

CHAIRMAN GEIST: From the non-aggressive county of Armstrong, Representative Pyle?

REPRESENTATIVE PYLE: They have obviously never driven the Route 6628 Expressway between Ford City and Kittanning, it's quite aggressive out there Mr. Chairman. But anyway, thank you. One of the points that other interrogators have asked, I've got to go

back to, you've witnessed how much of a percentage of diminishment in fatal or property damage from installation of these red lights? I'm looking at the safety angle here, 24-22?

MR LEBO: What we found, from the data we looked at, was 24% overall reduction in crashes. There were different amounts of reduction in different types accidents within that, some range from 0 to 30%.

REPRESENTATIVE PYLE: The afore mentioned rear-enders and fender benders, does that bring that 24 number down, cause I've got to think with these cameras installed we're reducing an awful lot of accidents?

MR LEBO: Again, this is based on reportable accidents that we had out of PennDOT's crash system, those are only reportable accidents. So, it's either somewhere where's there is at least an injury involved, or the vehicle is damaged to an extent that it can't be driven away. So, a lot of those fender benders probably are not reported.

REPRESENTATIVE PYLE: So, if we did count rear end accidents, fender benders and all of that, the 24 number more than likely would go up?

SECRETARY CHRISTIE: I guess the best way of putting that is that we don't have that data, so it would be hard for us to make any conclusion on that.

REPRESENTATIVE POWELL: Oh, I'm sorry for my assumption, Mr. Secretary, I appreciate it. Before I end, Mr. Chairman, I actually agree very much with my colleague, the Chairman from Philadelphia. I feel if these fines are being generated by Philadelphians and collected by Philadelphians, maybe the revenue should stay in Philadelphia. But, then again, I feel the same way about this Marcellus impact fee. Maybe we can make a deal? Thank you.

CHAIRMAN GEIST: Thank you very much. No other questions? Thank you, that was excellent. Next is, I believe, Vince Fenerty of the Philadelphia Parking Authority and his staff,

ace staff. Vince, since we've had a lot testimony that will be duplicate I'm sure, would you be able to summarize even with the submitted, and then we can get to questions? We only have this room until noon.

MR FENERTY: Okay. Mr. Chairman, I will skip my opening testimony. I think a majority of the Members of this Committee know the history of the red light camera program and how successful it's been in Philadelphia. Representative Carroll, to answer one of your questions which you had posed, someone doesn't have to be at a camera 24/7. They go into a cube; we evaluate them the next day during normal business hours, Monday to Friday. Those that are approved and 100% accurate go to the police department where a police officer is on a day work only. So, it's not a 24/7, 365 operation for a live human being; its clerical support staff. I thought I'd like to clarify that for you. But, at this time, we have done our own study which I have just given everyone a copy of. This is a third type of study we have done at actual intersections in Philadelphia. I believe it is very detailed and Mr. Chairman Geist and Mr. Chairman McGeehan, with your permission, I would like to turn it over to Tom Nestel who did the study and then I'll be glad to take questions on the program in order to expedite it.

TOM NESTEL: Good morning, my name is Tom Nestel. Just a quick background; I'm a 29 year law enforcement veteran in the Commonwealth of Pennsylvania, 23 of which were spent in the City of Philadelphia, so I am intimately familiar with the preparation of crash reports, both reportable and non-reportable in Philadelphia. As a project for graduate school, I had gone to Mr. Fenerty and asked to do a data analysis of a red light controlled intersection to determine the effectiveness of red light photo enforcement. That was in 2006. Since that time, I've done several studies for the Philadelphia Parking Authority, evaluating different intersections that have red light photo enforcement. The method that I used was different than PennDOT's

because I had access to the Philadelphia Police Departments non-reportable crashes, so I included all reportable and non-reportable crashes, but even beyond just say, for instance, Red Lion and the Boulevard, if you were to ask for crashes at Red Lion and the Boulevard you would receive exactly that: crashes written for Red Lion and the Boulevard. Philadelphia Police Officers routinely use numerical addresses for crashes. So, in my request for information, I asked for not only just Red Lion and the Boulevard, but I asked for the 9900 block of Roosevelt Boulevard, the 10,000 block of Roosevelt Boulevard, the 2100 block of Red Lion Road, and the 2700 block of Red Lion Road, and then manually called each one of those crashes to see if they were related to the intersection. In the studies that I did for the Parking Authority, that was the method I used for every intersection. So, the numbers of crashes are higher than if you just took the reportable number. Additionally, when you manually call those reports, you also find that a number are at the intersection, Red Lion and the Boulevard, but are actually in a parking lot that has nothing to do with the intersection. So, it requires manual review to determine which actually happened, are related to the intersection. Over the past five years, the reviews that I've done, Cottman and the Boulevard, after red light photo enforcement, there was a 28% reduction in overall crashes, Grant and the Boulevard has been the nominally to the red light photo enforcement program. I've done two studies at Grant and the Boulevard and both showed an increase in crashes. We've tried to examine the potential reasons for that. I think it is related to a change in the commercial layout of that intersection. There is now a somewhat significant mall and traffic undoubtedly increased, but there is definitely an increase at that intersection at both times that I did that in 2008 and 2011. Cottman and the Boulevard has consistently gone down with 28% reduction in the report done in 2006, 23% reduction in the report in 2008, and a 28% reduction in the report done in 2011. Broad and Oregon had a 20% reduction, 34<sup>th</sup> and Grays



Ferry had a 6% reduction. And Red Lion and the Boulevard consistently had a reduction. 2008 report it was a 27% reduction and 2011 there was a 32% reduction. Of all the reports that I did, I also examined the different types of crashes and I know that rear end crashes are often pointed to as an increase when red light photo enforcement is instituted. I did find that there is an increase in the first year. When you examine first year implementation of red light photo enforcement, there is an increase in rear-end crashes, but in this latest report with a plus-four year evaluation, there was a significant decrease in rear-end crashes to the point that they were lower than the non-red-light photo enforcement period. If you have any questions, I would be happy to answer them.

CHAIRMAN McGEEHAN: Thank you, Mr. Chairman and thank you gentleman for your testimony today. Mr. Executive Director, if I may direct a question to you? We know that the Philadelphia program is due to expire next month. Tell me what happens in the event that it is not extended?

MR FENERTY: In the event it is not extended, at midnight on December 31<sup>st</sup>, we have to shut the program down and turn the cameras off. What I would see along, especially Route 1, is an immediate increase in speed and an immediate increase in accidents. Representative, you know, you are very close to Route 1 and before this program started there were 13 deaths along Route 1. It was known as one of the most notorious highways in United States. When we started installing the red light camera intersections from the North to the South end of Roosevelt Boulevard, the average speed came along the Boulevard at – there are no longer, as we call them, road kills of human bodies scattered along the Boulevard, and we believe people whose driving patterns have dramatically decreased. There were thousands of citations issued at Grant Ave and Red Lion when we first started and they are down to about 300 per month now: 300 at Grant and

200 at Red Lion from thousands of citations which were issued each month. A red light camera, Representative McGeehan, the main crash is a T-bone crash which happens at an intersection. When you decrease a t-bone crash, which is the deadliest type of crash, by controlling the intersections with a red light camera, you're saving lives. I believe in Philadelphia and any of these intersections, if the program was to go down for any period of time, you will take the people who have habitually have changed their driving habits, to go back to the old driving habits, blow the red lights, okay, and potentially have fatalities and crashes and injuries at these intersections. This is a program which the General Assembly has charged the Parking Authority with; we knew it was the only one in the Commonwealth and if it was ever to expand it would have to be done correctly. We have gone through painstaking growth to make sure it has been done right. We did hire Mr. Nestel as a consultant, as he mentioned, after he wrote his first thesis for free and evaluated everything. At his request, the Parking Authority included each and every accident, not only reportable, which everyone can look at including the non-reportables which are written on 48's to be able to accurately report everything that is happened to the General Assembly, and we do answer to the General Assembly of what has happened and I would strongly recommend that this Committee continue the program in Philadelphia.

MR MCGEEHAN: Okay, Mr. Chairman, with your indulgence, ask a follow up? Thank you. We heard from earlier testimony that the violations at these intersections where these cameras are installed, the violations drop off like 50% after the installation, and that at least seven of these cameras now situated in Philadelphia are not even breaking even because of the reduction. I mean, they have been doing their job so well that now these cameras aren't breaking even. Is there a point where you say, we're taking them out because they're not breaking even, or we've seen a decrease in revenue in Philadelphia?

MR FENERTY: Mr. McGeehan, honestly today was the first time we've heard that some of them weren't breaking even. We have never evaluated that. We have never looked at a camera to see if it was making money or not. That was not the purpose of this program. We've never done the study, we've never thought of doing the study, because we believe no matter, as long as we control the intersection and there is red light running, I will not put a value on a human life, saving a human life. I listen to the PennDOT this morning and maybe some other counties they wouldn't be able to sustain a red light camera and they asked, what would happen then? That is not a problem in Philadelphia, thank God, and we have not pulled any, we have no intention of pulling any, each and every one of them we still believe are preventing accidents. I don't really want to. I hope I never have to be in the situation where I have to judge pulling a camera and putting a value on a life.

REPRESENTATIVE MCGEEHAN: What's the plan for expansion for, if this is approved, what can Philadelphian's expect in the future? Is there a target in the next year, two years, five years?

MR. FENERTY: We haven't placed a target, we go, we basically...

REPRESENTATIVE MCGEEHAN: What's the basic criteria, Vince? I'm sorry.

MR FENERTY: Basic criteria is, we do a study on an intersection that a council member would bring to our attention, or a citizen. For instance, Aramingo and Castor, that was not on anyone's radar. The battalion chief from Kensington and Castor, and I'm using the intersection because of your question, came to us and said he had equipment running all the time to Aramingo and Castor. He would have a truck out which is a ladder or an engine company out waiting for medics continually, and he would like us to look at that intersection to see what it was. We did what is called a --- study to see how many people were running each of the four

directions over a period of time and we found that it was an intersection where there were crashes, a lot of them were minor crashes, but there was a great number of red light runnings. We then present the findings to our City Council, to the district council person, who then would have to run a concurring ordinance to place it at that intersection in Philadelphia. Then we pass it to PennDOT for their approval. We basically look at some accident crashes, suggestions from the public, suggestions from elected officials. Right now, there's two pending the approval of City Council, there's a hearing next week or the following week, one of them, and there are two that I believe are currently waiting for PennDOT approval.

REPRESENTATIVE McGEEHAN: Mr. Chairman, as a Philadelphian, if I could be granted just one question off topic and it's a serious one? There's been events in the last week, a serious charge of a Supervisor in the Philadelphia Parking Authority has been charged with at least the ethical offense of making, which is compelling an employee to purchase tickets to a political event. What's the internal policy of the Philadelphia Parking Authority and what's the status of that Supervisor?

MR FENERTY: The policy of the Parking Authority is very stringent upon that, Mr. McGeehan. There is no political activity at work; no one's employment is contingent upon any type of contributions made to political or charitable. We have it in our handbook, each employee is given a handbook, each employee has to sign for that handbook. And I enforce this very stringently upon everyone, we don't do politics at work. Our employees are allowed to be politically active after work on their own time. That supervisor was upon the complaint to our HR Department, the complaint was made to HR Department before that story broke, that Supervisor was suspended, we investigated it, we listened to the complaint of the individual and that person has been demoted. I would like to add, Mr. McGeehan, you know me personally,

I'm not going to put up with that from anyone. We worked very, very hard for a period of six months to do some other type of audits of our employees on the street to bring a new face upon the Parking Authority. We had several press conferences, we're also in the press and we're up on Twitter, we're going to start using QR codes, we have a Facebook page, and we did an undercover investigation of our people on the street to how they act. This one single act of this investigator has infuriated this Supervisor, has personally infuriated, maybe because it gave this agency and the hard work that our senior staff did all summer a black eye. And I will never tolerate that.

REPRESENTATIVE MCGEEHAN: Thank you, Mr. Speaker Director, thank you Mr. Chairman.

CHAIRMAN GEIST: Thank you. I just want to tell you, I thought when we we're in Philadelphia with the Committee, that the work that you did was unbelievably impressive. And I can tell you that the part that really impressed me, by actually tracking the traffic at each intersection from the history, most people assume that traffic in intersections is consistent, that it doesn't change, and when you show the increase because of development around the one intersection and then the correlation between average daily traffic and accidents, I was really impressed and that kind of traffic engineering is the kind of information that we need, and everybody else that does this in this business. I was really impressed, you did a great job. Representative Costa?

REPRESENTATIVE COSTA: Thank you, Mr. Chairman. Mr. Fenerty, thank you for being here. I thought I knew a lot about red light cameras until this morning. Representative Harry Readshaw asked me a question and I wasn't quite sure how to answer it: how do you deal

with funeral processions when the procession starts and obviously the light is green, but as the tail cars come through the light turns red?

MR FENERTY: Representative, there's two ways we deal with it: the funeral directors do call us and tell us when a funeral is heading in a particular direction and in Pennsylvania you can only take a rear shot of a vehicle when it goes through a red light camera. With the Funeral Directors Association, and it's well known, we publicize it to put your funeral sticker on your rear window of the vehicle. As soon as the evaluators, if you see a red light camera going off simultaneously, 1, 2, 3, 4, 5, 6, 7, 8, it's looked at very closely, you see the funeral sticker or the funeral flag, that violation is not processed.

REPRESENTATIVE COSTA: Thank you very much. I'm glad you brought up a good point too there: you said the cameras only take a picture of the back of the vehicle. A lot of the Members of this Committee know this, but I'm not sure the public is aware, that that's all you take a picture of the license plate and not the driver.

MR FENERTY: That's correct, the car and the license plate.

REPRESENTATIVE COSTA: Thank you.

CHARIMAN GEIST: Judge, once again.

REPRESENTATIVE REICHLEY: We can hold off on that for the next four weeks, if you don't mind. I'm going to try and combine two questions for you, Mr. Fenerty. In reading ahead to some of the other testimony, I notice that criticism of red light enforcement was that there are contractual provisions included in other municipalities that essentially put an incentive to have tickets issued. And the second, that there are provisions which prevent the Municipality from extending the yellow light period that, in some cases, I guess you've extended the duration of yellow light so that people don't incur red light violations. Can you comment on about what

your relationship has been with your vendor, whether there is a financial component to the contract to increase violation notices and also what you've done on yellow light durations?

MR FENERTY: Representative, number one, when this legislation was originally written, it's prohibited from giving a contractor a percentage. We pay currently 4,545 per month, per camera, for each one. So, there is no incentive for any type of increase in red light camera tickets to be pushed by a vendor. Secondly, the yellow period on a red light camera which is controlled, none were changed. The studies are done along the interstate corridor by PennDOT and by Philadelphia traffic engineers. They're all consistent; there has never been any tweaking of a yellow light period to cause someone to go through an intersection, a red light, quicker.

REPRESENTATIVE REICHLEY: So, you haven't shortened the yellow light duration?

MR FENERTY: No, we haven't.

REPRESENTATIVE REICHLEY: Has there been any thought to extending it?

MR FENERTY: To my knowledge, no.

REPRESENTATIVE REICHLEY: Okay, thank you.

CHAIRMAN GEIST: Tony Payton, Representative Payton?

REPRESENTATIVE PAYTON: Thank you, Mr. Chairman. Thank you for your testimony. I have a couple questions. I know you touched on it just a moment ago, but what is the average length of time for a yellow light?

MR FENERTY: Go ahead Chris. Representative, could I ask that PennDOT be recalled to answer that question?

REPRESENTATIVE PAYTON: Sure. Now, when the red light cameras were implemented, were there any traffic engineering changes that accompanied the implementation of the red light cameras, or were they just sort of...

MR NESTEL: There were no traffic engineering changes. The only traffic engineering change, which has occurred in Philadelphia County, is there has been some reconfiguration of turning lanes at Grant and the Boulevard due to the Whitman Complex being torn down and a mall being installed.

REPRESENTATIVE PAYTON: Do you have any numbers on the hit and runs prior to along Roosevelt Boulevard and currently?

MR FENERTY: On hit and runs, we don't have any study on that. That was not part of a red light camera study.

MR NESTEL: Representative, just recalling the data I looked at, I don't recall a significant number of hit and runs throughout the study.

REPRESENTATIVE PAYTON: Okay, and I know in the handout there with the states and other municipalities that have both red light enforcement and speed cameras: are speed cameras next, and if so why?

MR FENERTY: Representative, that would be a decision for the General Assembly if speed cameras were next, not for a decision of the Parking Authority. We don't have the ability to do that at this point and that would have to...

REPRESENTATIVE PAYTON: Is that something you are looking to do?

MR FENERTY: We have looked at some studies of speed cameras for along Roosevelt Boulevard a particular stretch between Woodward Street, I believe, and Rhawn, where there is a high rate of speed. It still goes on and there's accidents in there. I believe two sessions ago that



was introduced by former Representative Kenney and it died in Committee, it has not be resurrected by anyone to my knowledge to this point.

REPRESENTATIVE PAYTON: As it should have. Thank you.

CHAIRMAN GEIST: Seeing no other questions, thank you very much. Scott, do you want to answer that question before we get the next group up?

SECRETARY CHRISTIE: We did sort of anticipate that question. What we do is whenever we do an evaluation of a red light camera, we actually go out and take a look at the cycle and we base the recommended cycle on the Institute of Transportation Engineers, they have recommended practices. Basically, there is a formula based on the speed that cars are traveling through there, and there's a formula for how long the yellow light should be and we follow that for every camera that goes through this evaluation for the red light program.

REPRESENTATIVE PAYTON: Do you affix a time as to what that formula should be, 60 miles an hour, 70 miles an hour, 30 miles an hour? Two seconds, three seconds, four seconds, five seconds?

SECRETARY CHRISTIE: I can get you that information, I don't have it. I don't have that equation right here in front of me, but I can get that for you.

REPRESENTATIVE PAYTON: Okay.

CHAIRMAN GEIST: Thank you. Next is National Conference of State Legislatures. Anne Teigan is a lawyer there who has worked with us, it seems like, for a long time now. It's all yours Anne.

MS. TEIGAN: Great. I'm going to actually step away and set up my Power Point really fast. Thank you very much, Mr. Chairman, and thank you to the Committee for having me here today. A lot of your questions have probably already been asked, so I might move this pretty

quickly, but I'm here to give a national perspective on some of the arguments and things like that. First of all, NCSL is a non-profit Bipartisan Organization and among our goals is to provide Legislatures with information and research about policy issues at both the state and federal level, and I track automated enforcement, speed and impaired driving, things like that. So, we can go through some of this. I'm not going to really go through the definition of automated enforcement, but I can point out some of the controversies that's happened in some of the other states. One of the biggest things is that automated enforcement refers to red light and speed, and so just here in Pennsylvania, we're just discussing red light cameras. It does get a little more complicated when you're in a state that has speed cameras and red light cameras, so with regards to red light running being a traffic safety issue, according to the Federal Highway Administration, in 2008, there were more than 2.3 million reported intersection related crashes, approximately 733,000 injury crashes and more than 7,770 fatalities. Those aren't necessarily red light violations, those are intersection related. From the Federal Fatality Analysis Reporting System, the FARS data we found that 676 people were killed in 2009 and about 100,000 people were injured from red light running alone. The big issue here is that nearly 2/3 of those deaths, about 60%, were people that were not the red light runner: they were passengers in the other vehicle, passengers in the red light runner's vehicle, bicyclists or pedestrians. The safety issue has been pretty widely publicized: The Insurance Institute for Highway Safety did dedicate its entire February 2011 status report and newsletter to red light running and they featured different peoples experiences related to those crashes. For a brief history, and this may give some insight on the data issue and what kind of numbers that are available, in 1992 there were only a few states that were doing pilot programs and, actually, NHTSA did conduct the really large pilot program in New Jersey in 1992. By 2000, there were only about 25 communities that were

using red light cameras and then in 2005, the Federal Highway Administration and NHTSA did publish red light camera systems operational guidelines, and so those guidelines became available to municipalities and to states, and then by 2011, red light cameras are used in about 554 communities, speed cameras in about 104 jurisdictions. This is the slide that I want you guys to look at the most – so, here I’ve broken down the map a little differently; 21 states and DC have statutes that allow for statewide or limited use of red light cameras. As you know, Pennsylvania, it’s only limited use in Philadelphia, and the states in the red, allow it statewide. To complicate things further, in a couple states like New Jersey, Texas, Wisconsin, they do allow red light cameras, but they do have specific statutes prohibiting the use of speed enforcement. In 2009, there were three states – Mississippi, Maine and Montana – that passed laws prohibiting counties or municipalities from using automated enforcement. That was a pretty big deal in 2009, because three states did it all at the same time, but nine states all together have statutes that prohibit red light cameras from being used to issue citations to motorists. As the laws overview in most states, the citation is issued to the registered owner of the vehicle; however, in Oregon, the citation can be issued to the driver, if the driver is identifiable. In most cases, the registered owner is liable for the ticket; however, in California, Colorado, Rhode Island and Virginia, it is the driver who is liable for the ticket. Many opponents are opposed to red light cameras because they cite privacy as the main reason that they are against this type of enforcement and states differ on actually what picture it taken. You guys have pointed out that in Philadelphia, only the license plate is, actually, the rear end of the vehicle is taken, but in Colorado and in California they take an image of the tag and the driver. And, I actually was a victim of some speed enforcement when I was in college and it’s a very clear picture of you. So, other states limit the photograph to only be taken of the vehicle and the tag. Georgia just instituted this this year, they

take a photograph of the tag, the intersection and the light and then, also, Tennessee takes a picture of the front tires before the stop line and the rear tires past the stop line, so different photos are taken. This is just a quick overview of the fines: it usually about 75 to 100 dollars per ticket. One big issue in some of the states were am I going is to get points on my license for this and there was a lot of push back for that, so most states do not asses drivers license points against motorists, so it not a moving violation in that sense. And many states do have a statute that the citation cannot be used by insurers, because that was pretty big concern. I also, just to give you more information, for more information on the fines, penalties and the statutes, I do have a chart on NCSL's website. Just to give you an update on what's going on in 2011, 20 states introduced about 100 bills related to automated enforcement. Arizona, Florida, Missouri and South Dakota introduced legislation to prohibit cities from using red light cameras all together, none of them passed, but it is important to note that Florida just passed their automated enforcement law last year and it won by a pretty narrow margin. The following year, bills are already introduced to try to repeal that. Texas passed a bill allowing for automated enforcement at toll booths, so they're expanding their program. Illinois passed a bill clarifying who would be liable if there's a lessor/lessee situation. The big action this year that may be of interest is California Senate Bill 29. That bill would have done three things: it would have identified the cameras with signs posted within 200 feet of the intersection, giving the motorists warning that the cameras were coming; it would also require the City or County to develop uniform guidelines for their program; and it would prohibit a City or County from considering revenue generation as a factor when considering whether or not to install automated enforcement. So, in California they can, in their plan, consider revenue generation currently. This bill would have prohibited that. The bill was actually vetoed by Governor Brown this fall. In his veto message, he stated

that the bill standardizes rules for local government to follow when installing and maintaining red light cameras, and this is something that should be overseen by local officials. He didn't want it to be a statewide issue. Many members of the committee have already addressed these challenges and I can go through them pretty quickly. The big one is, photo enforcement is designed to make money and not protect the public; there have been some campaigns that respond to that by saying that red light runners are breaking the law; they're not victims of unreasonable government crackdown. And many states have introduced bills designating that the revenue go back to safety campaigns, goes back to traffic safety in their states. Many states do require signage warning motorists that cameras are coming. The STATS gets back to the yellow light times; studies have shown that increasing yellow light times can be effective in reducing intersection crashes. There was actually a study that was in Philadelphia where they studied increasing the time of yellow lights and then also automated enforcement and there was a major reduction in violations. Lengthening the yellow interval has to kind of be within appropriate guidelines. A traffic safety engineer could probably speak to this more than I can but, you don't want to lengthen it too much and then it can affect the flow of traffic and I guess too much of a good thing isn't good either. So, I can kind of give you a preview of what's going on in the other states with the challenges going on. A couple of years ago, the *Chicago Tribune* ran a lot of articles that was very much against automated enforcement because citizens were getting citations for not stopping the required number of seconds before they turned red, or they were stopping at the crosswalk line but were stopping too close to it or a little bit over it and so they were getting red light citations for that. There was a lot of push back, so in 2010, the Legislature passed a Resolution encouraging municipalities with red light cameras to not issue tickets to motorists who properly execute right turns. In 2011, they actually introduced a bill that

would require it, it did not pass. So, Illinois has had its share of challenges and then, as I mentioned earlier, Florida. In Florida last year, they passed their bill. In the AAA Auto Club South, actually urged the Governor to veto the bill and that's pretty unusual for a safety organization to do. But AAA concerns were that too much of the fine would go to the General Fund and not for traffic safety enforcement. The state would not have to notify violators for 30 days and AAA wanted the notice to be more around the 7 to 10 day period. Nationally, the Insurance Institute for Highway Safety conducts the studies and they have done studies in Oxnard California that has showed that red light running violations did drop about 42%. In Fairfax County, Virginia, it showed that it declined by about 40%. I mentioned that Philadelphia study that was done a few years ago. In 2011, actually, the Insurance Institute did a telephone survey for drivers. They asked about 3,000 drivers in 14 large Cities if they were in favor of red light cameras and about 42% strongly do favor it because they feel it has a major deterrent effect. Research shows that there is a pretty strong deterrent effect, because after you get one or two of the 100 dollar tickets, you kind of maybe stop for the red light. I wanted to address the question about the increase in rear end crashes. There's been a lot of talk about that and actually that was one of the main reasons, and the biggest argument, for the City of Los Angeles to get rid of their red light camera program, which they did this fall. But, there has only been one scientific study that has ever said that and that came from the University of Southern Florida. They said it increased crashes by making motorists stop abruptly and they wouldn't clear the intersection. That is the only study that I found and I know that the Insurance Institute has done quite a bit of those studies. I don't know if they have studied that in particular. And just in conclusion, municipalities have increased the use of red light cameras dramatically in the last 10 years and that's why there's not a whole lot of data; because there's not a lot of before and after, and

actually the data from Philadelphia interests me a lot because it looks like you guys did a pretty good comparison. State Legislators don't just have to consider whether or not we should allow the municipality to use these cameras. There are so many other issues involved: what picture should be taken, where should the revenue go, and how many days does the City have to notify violators. The big opponents for red light cameras have to do with: it's a violation of privacy, and it's strictly used for revenue generation, things like that. I am open for questions if anybody has any.

CHAIRMAN GEIST: I want to thank you very much. It's wonderful to get a perspective like this, but when you were talking about how to cheat the system, I didn't want you to tell Vince that, we could be in big trouble. Does anyone have any questions? Thank you very much. Next is AAA Federation of Pennsylvania, Ron Kosh, Vice President of Governmental Affairs, AAA Mid- Atlantic. And by the way, I want to thank you for all the help we got from AAA when we crafted the original law to try to make it as fair and workable as possible under some constitutional restraints that we have in Pennsylvania.

MR KOSH: Thank you, Chairman Geist, and good morning to the Committee. Appreciate having the opportunity to testify here today. My name is Ron Kosh, I'm Vice President of Public and Governmental Affairs for AAA Mid-Atlantic. We serve areas from North Jersey to Southern Virginia including parts of Eastern Pennsylvania. Appreciate the opportunity to address you today on the issue, and much of what I'm going to say, I will keep it as brief as possible has already been said. A little background: AAA was founded more than a century ago to advocate for and protect motorist's interests and to advance road and pedestrian safety. We currently have some three million members here in the Commonwealth of Pennsylvania. AAA policy is explicit; traffic enforcement and, especially, automated means

such as red light cameras, must be clearly focused upon safety, not revenue generation to earn AAA support. AAA Mid-Atlantic strongly supported the original Philadelphia red light camera program with the firm caveat that it operate with certain protections for motorists, many of which were incorporated into the enabling legislation, such as posted warning signs telling motorists that red light cameras were present, reasonable and appropriate penalties defined in the legislation, a mandate that the camera vendor be paid flat amount that no way correlates to the number of citations being issued and that PennDOT has sole responsibility for approving intersections. That the cameras be cited solely based upon crash data and not traffic volume and that Amber Timing must be no less than Federal Standards according to the uniform manual. The formula that's here to --- discussed and that all revenue must go to the Motor License Fund to pay for safety and mobility projects throughout the state and not just to the local jurisdiction. We believe that the enabling legislation that allowed Philadelphia to install the cameras was very well designed and has allowed Pennsylvania to avoid many of the abuses that we've found in other states including many of those that boarder on Pennsylvania, or in the Mid-Atlantic Region that we serve. For example, in Glassboro, New Jersey, the first Southern New Jersey municipality to issue a red light camera ticket admitted that it issued 12,000 tickets worth one million dollars at an intersection where the amber time was shortened. Motorists were being given just three seconds of yellow warning time well below the formula time, before the camera began snapping, as opposed to the four seconds that was mandated originally. We also found shortened amber times in other states as well, and in every case where that has happened, it was the cameras were under the jurisdiction completely of the city or the municipality that also claimed all of the revenue. We should also note that these red light camera discussions in Pennsylvania come just as the backlash against the technology that's spreading across the



country. Last year, the Ohio Legislature overwhelmingly approved a bill that prohibited the use of red light cameras and photo radar cameras in the state. In addition, some major cities such as Los Angeles, Houston and Colorado Springs, recently deactivated their cameras. San Diego and some other large cities have done so within the last several years. In most cases there are multiple reasons for doing it, but there was also a very significant public reaction in many cases it's palliative that the cameras were originally installed. Purpose of red light cameras is to catch irresponsible drivers in the act of intentionally running a red light, but it is certainly not merely to enhance revenue. Considerable mitigation of red light running can also be accomplished by extending the amber time, which I think you already heard has been done in some cities that have eliminated their cameras. The objective should be to focus on slowing motorists down or to stop them from red lights in the first place in order to prevent crashes from occurring and pedestrians from being struck. While cameras are meant to serve as a deterrent and to take the place of police officers who can't be at every intersection, the AAA experience with abuse of technology has been to not blindly accept the success of these programs. We have, from the beginning on behalf of motorists, asked for and demanded transparency and accountability. If Pennsylvania has identified red light running as a safety issue, then we believe that a substantial commitment must be first employed to address the problem. Public education about the dangers of red light running, engineering and traffic management improvements to change the conditions at problematic intersections, a study to determine that signal timing has been established in accordance with appropriate engineering standards, and commitment of uniformed sworn officers to immediately ticket red light runners and provide the visible deterrent at locations that's been known for chronic problems or accidents. We know works, prior to any program being instituted, the jurisdictional entity should publically disclose information and analysis

about the number of red light violators and intersection crashes, including comparative data that justifies the installation of the cameras. For example, University of New Mexico studied 20 Albuquerque intersections monitored by red light cameras. Researchers there found safety has not declined or improved at 1/3 of the intersections and we've heard some of that conflicting testimony already today. To avoid such issues in PA traffic, engineering studies really need to be performed on intersections proposed for monitoring. In the TAC that testified earlier, their final report actually addresses the issue that the potential negative with the current law that neither defines any intersection selection criteria nor does it require an engineering study to be performed. And that report also stated that having this in place would confirm that there are no existing problems with existing traffic signals at proposed RLE intersections. This would also improve accountability and selection criteria would insure consistency and transparency with the public, especially if the program is going to be expanded state wide. In general, AAA is concerned about the considerable lack of relevant statistical disclosure and analysis, especially when more cameras are being installed in municipalities across the nation. That data needs to be out there. Will expanding cameras across Pennsylvania make our roads and streets safer? We're not sure. We think it can be, depending on how it happens and it's a fair question given the rapid expansion of red light camera programs that we've seen in other states. Even with vendor payments limited to flat monthly fees, their revenue grows as does government revenue every time another camera is installed. Moreover, the TAC final report specifically stated that most signalized locations across the state would not be self supporting as we've already heard from the testimony preceding me. The bottom line is, how will the success of the program be measured? If it will be measured by the number of tickets issued and revenue collected it will never win the trust of Pennsylvania motorists. The only true success measure is whether the

number of crashes and fatalities due to red light running is declined. AAA believes that a properly designed, responsibly operated automated red light program is and continues to be a valuable tool for police and traffic safety professionals to improve the safety of our roads and save lives. But they are not a substitute for a safely engineered intersection with properly timed signals. Thank you and I would be happy to answer any questions you might have.

CHARIMAN GEIST: Representative Costa?

REPRESENTATIVE COSTA: Thank you very much, Mr. Chairman. Ms. Teigan said that when they did a study in Virginia that 42% of the people they polled were in favor. Have you guys ever done any polling?

MR. KOSH: We have, we have and it varies and it varies according to region and it varies according to cities. We've tried to break it down.

REPRESENTATIVE COSTA: How about, have you done any polling in the Philadelphia area?

MR KOSH: We haven't specifically in Philadelphia; we've done it for Pennsylvania. It's fairly split. We've done it on a couple of basis; I haven't really tracked it too closely. I think in most cases where there is a lot of the aggressive driving that goes on, you will get a fair amount of people who will be in favor of it. But where we have seen it abused in some of the other nearby states, there can be a public reaction negatively to it, District of Columbia and their installations at the outset, there were some that really were more about revenue. As some of those programs have evolved in Maryland, for example, there is a lot of strictly municipal operated systems where tickets have been issued for literally just breaking the stop line, not the rear wheels but the front of the car breaking the stop line. Obviously that generates a lot of heat in light, and justifiably so. We've seen shortened yellows where you get a string of intersections

with timed and then they shorten the yellow at the one where the camera is. And, obviously, when you start seeing that type of action, the public reaction is very negative. And that is why a lot of states, these other states and municipalities have taken their systems out because of how they were being operated.

REPRESENTATIVE COSTA: I just want to be clear you said those abuses, are you aware of any of those abuses happening in Pennsylvania?

MR KOSH: No. That's why I say in Philadelphia, the program when it was put in early, there were a lot of really appropriate restrictions put in and it was definitely set up to avoid those type, based on some of the things we were seeing in other states and to your credit, that initial law that was designed, it was done properly and I think if it's going to be continued we want to make sure the point that I made earlier, the engineering which was not a part of it and the criteria was not part of it, those would be appropriate additions to it.

REPRESENTATIVE COSTA: I want to thank you. I'm glad you clarified that. There are a lot of misconceptions out there about things that have been going on in other states, but they are not happening in...

MR KOSH: We've seen complaints about it, but we've not seen where any games are being played, and I think that's because of how it was properly designed and how it's being operated.

REPRESENTATIVE COSTA: I appreciate that and thank you, again. Thank you, Mr. Chairman.

CHAIRMAN GESIT: Thank you very much. Next up is National Coalition for Safer Roads, Ronald Reagan, Director.

MR REAGAN: Thank you, Mr. Chairman. It's an honor and a pleasure to be here. Yes, my name is Ronald Reagan, and I'm with National Coalition for Safer Roads. What NCSR does primarily, we promote public safety on our highways. Such as, Automated Traffic Enforcement, that we're here talking about today, use of child restraints for children in automobiles, as well as, I think, the scourge that's happening today is texting while driving. You have my written testimony, but I would like to tell you a little about myself. I am a former state legislator from the state of Florida. I spent the last eight years in the state of Florida as an elected official, my last two years as Speaker Pro-Temp of the Florida House. Due to term limits, I came out of office last year. While I was there, a situation occurred in my home county where approximately seven years ago one of my constituents was killed by somebody that ran a red light. This person was out to dinner with his brother, on his way home, was sitting at an intersection not too far from my own house, made a left turn on an arrow, a young woman ran the red light at about 50 miles an hour, killed him instantly. How I really got involved with this is the fact that his widow came to see me about four or five months later and we sat down and talked and she said what can we do to make our roads safer? Well, this man's name was Mark ---. Two weeks after his widow buried him, she gave birth to their first and only child. So, it really touched my heart and I really got involved in it and that's how I found out about red light cameras and things of this nature. So, I was faced with a dilemma when I brought this up in Florida Legislature six years ago. Took me five years to get the bill passed, you heard earlier Florida did pass it last year, my final year, and yes, there was a movement to try and undo it this year, unsuccessful and I'm sure that might occur again in the future, hopefully it will continue to be unsuccessful. But, the issues that I was faced with when I first brought this up; one is expectation of privacy, the standardization of yellow lights, and also are there more rear end collisions that occur? Number one, I will tell you

that there is no expectation of privacy when you're in a vehicle on a public highway, but there is an expectation that you obey the law of your local municipality. Number two is the fact that extending yellow lights, we ran a pilot program for 90 days in Florida at several different intersections, what we did was we actually took a look at violations that were occurring as well as the fact then we took the same intersections and extended the amber light by one additional second, these were major intersections, we're not talking about small intersections we're talking about six and seven lane intersections, and I will tell you immediately within the first three or four days the number of red light violations did drop and again we did this from a statistical standpoint, we kept the data, we did not issue any citations or tickets or anything of that nature. But what we found on the 5<sup>th</sup> day to the 10<sup>th</sup> day, the same people that drive through that intersection every single day, which is a majority of the people in this case over 75% within five days, whatever reason, mentally, physically, whatever the case is, the number of red light runners started rising again. The only thing we can determine is that people got used to the length of that amber light and after five days of using that intersection were right back to where they were before. So, the extension we heard earlier, the extension of amber lights while initially does work, in the state of Florida we've proven that over an extended period of time does not cut your red light violations. And rear end collisions, I will tell you this, I personally, we heard early there's a study from the University of South Florida – I actually am a graduate of South Florida so this is near and dear to my heart – I actually saw that study multiple years ago, I happen to be very intimate with it and I will tell you this; the professor who issued that study when it was discovered later that she used flawed data, that she actually made up some data, and the fact that she actually was reprimanded and she almost lost her job over that study, so the study that continues to be quoted out there is flawed and does have errors to it. The other issue I was faced

with when we passed it in the state of Florida, what is the fine going to be, are there going to be points issued to the violators driving record and what's the fine going to be and where's the money going to go? In the state of Florida, if you run a red light and get a ticket by a police officer it's 236 dollars and three points on your driving record. With automated traffic enforcement or red light cameras, the fine is 158 dollars, 75 going to the local municipality, 75 going to the state's general revenue fund and 8 dollars going to trauma centers and health benefits in the state of Florida. There's truly, you heard earlier, there's some arguments where the money should go and there is an argument in the state of Florida AAA did step forward and I did work with them in the state of Florida for several years, and their argument strictly was, where is the money going to go? More should go to public safety as well as trauma centers in the state of Florida. Obviously, that's not the case and we're stuck where we are. I will say this: in the state of Florida, the use of automated traffic enforcement or red light cameras does work. Five years ago, six years ago, when I first filed the bill, there was one camera in the state of Florida and that was in Gulf Breeze Florida. Now, there's multiple cities over 60 could be 70 cities by now have some type of program in the state of Florida with the use of cameras. Every situation we have seen the number of accidents has decreased, the number of citations after a while has decreased. And we've seen that earlier from other studies throughout the nation and they do work. Bottom line is, they do work. In reality, I think the state of Florida is going to continue and I do urge you to continue your program in Pennsylvania. Thank you Mr. Chairman.

CHAIRMAN GEIST: Thank you very much. There is something very interesting about your testimony. Being a Pirate fan, if you want to host a committee in --- we would be more than glad to come down.

MR REAGAN: I will tell you the Pittsburgh Pirates are one of my favorite teams, I will tell you that and I happen to have two front row tickets right behind the backstop. So, if you'd love to use them, just let me know.

CHAIRMAN GEIST: That's a wonderful ballpark. We were there this year. Does anybody have any questions? You went through basically the same thing that this Committee went through when we wrote the original bill. Now that we're faced with the extension or reauthorization, we have to fight through data and a lot of it is not the most accurate data and some of the stories that have been written have been not the most accurate although there was one in the tower of truth the *Philadelphia Inquirer*. I think it was a little flawed, so we have a lot of information that we have to collect and rapidly process. So, the Chairman and myself and other members of this Committee will do the best that we possibly can on an extension. I want to thank you so much for coming up. This is not an easy job and you didn't leave an easy job, so thank you very much.

MR REAGAN: Thank you very much, Mr. Chairman.

CHAIRMAN GEIST: Next up, Insurance Institute for Highway Safety, Richard Retting, former head researcher, consulting engineer.

MR RETTING: Chairman Geist, distinguished Members of the Committee, thank you for allowing my testimony. I'll be very brief, looking at the time, I've provided written comments and I'll just breeze through those and I'll be happy to take questions if I can be a resource to the Committee. I have an extensive traffic engineering and research background directly related to this issue. I have studied automated enforcement for about 30 years now. Prior to my service at the Insurance Institute for Highway Safety, I served as Deputy Assistant Commissioner and Safety Director for the New York City Department of Transportation. As



you've heard already, numerous studies throughout the country show that motorists frequently run red lights, that is well established, and also well established is the harm that that does. You heard from others, again I won't repeat the numbers, but obviously hundreds of lives are lost every year from red light running, close to 700. That's an awful lot of people to die for a preventable reason. In Pennsylvania, 40% of reportable crashes occurred at intersections, that's about 57,000 intersection crashes a year in this Commonwealth. Intersection crashes in Pennsylvania account for one in four traffic fatalities. Based on these facts, the Pennsylvania Strategic Highway Safety Plan designates improving intersection safety as one of seven focus areas. Red light cameras are effective at modifying driver behavior; on this question the research is conclusive and clear, studies that I lead at the Insurance Institute for Highway Safety documented reductions ranging from 40% to nearly 100% in violations reductions. And I will talk specifically about the Philadelphia study I conducted on Roosevelt Boulevard, at six approaches to two intersections, yellow timing was increased by about one second and that was based on engineering studies that I conducted and were reviewed by engineers at both Philadelphia Department of Streets and PennDOT, so this wasn't an arbitrary increase in yellow timing, but we established that the standards justified an increase of one second. That increase in timing, as expected, was associated with a reduction in red light running; it was about 1/3 reduction. However, after accounting for that reduction in red light running with the addition of red light camera enforcement further reduced red light violations by about 96%. We went from over 100 violations a day on Roosevelt Boulevard at Grant at Cottman, over 100, down to a handful. The study concluded that the provision of adequate yellow timing reduces red light running, but longer yellow timing alone does not eliminate the need for better enforcements. The key question, of course, before you is: do driver changes and changes in driver behavior

produced by red light cameras reduce injury crashes and save lives? Numerous research findings indicate they do. At the Insurance Institute for Highway Safety, I served as lead author on the first major U.S. study that examined impact on injury crashes, in Oxnard California where injury crashes were reduced by about 30% on a city wide basis at signalized intersections and that was a controlled study that took into account other cities that did not use red light camera enforcement. A more recent study by the Insurance Institute for Highway Safety documented that hundreds of lives have been saved between 2004 and 2008 by cities that have installed red light cameras. You've heard a lot about rear end crashes and, again, I'll deviate from my written testimony and just talk about that a little bit. It's a very important issue and it's one that's misunderstood, and with all due respect the University of South Florida did not do a scientific study as was suggested by the NCSL, but they provided basically a summary of information, much of which was misleading and false. The fact is that there is no definitive indication that rear end crashes increase when red light cameras were installed and certainly not a long term increase. There could be short term temporary increases as drivers adjust and, as a traffic engineer, I will tell you something that's obvious to any traffic engineer: when you put in a traffic light rear end crashes go up, they sometimes go way up, the stop and go motion of a traffic light causes rear end crashes and reduces angle crashes. We accept that as a reasonable trade off of installing a traffic light. Traffic lights save lives, prevent very serious crashes, the price we pay are increases in rear end crashes. If the worst red light cameras can be accused of is mimicking the effect of a traffic light, we view that as beneficial trade off and in fact there is no evidence consistently that even rear end crashes go up from red light cameras. We've heard that from others in this room today. Finally, let me say red light cameras are a successful example of public/private partnership in which the government retains technology and contracted technical

personnel to supplement traditional law enforcement activities. If managed properly the government maintains control over the enforcement process, with technology suppliers providing a supporting role to fulfill specified equipment and personnel needs. I think you heard clearly from AAA that that kind of model works very well in Pennsylvania. Despite the fact that red light camera programs are government run including the one in Philadelphia a recent report by the U.S. Public Interest Research Group mischaracterizes this public/private partnership as privatized traffic enforcement. We have not privatized traffic enforcement through red light camera programs but rather again incorporated a role for the private sector to support a governmental function, which is run by the government. You've heard from opponents of camera enforcement and will continue to hear from opponents, who spread misinformation about rear end crashes going up, which again is simply false and is not substantiated. You'll hear from opponents of red light cameras, who waive around one or two studies published 15-20 years ago from Australia, one researcher in particular, who his study was identified as being misleading and having erroneous findings. So, opponents will seize on a handful of poorly done studies to make their case. The overwhelming body of literature shows that red light cameras make intersections safer, reduce injury crashes and save lives. The privacy issues you've heard about so, again, I won't dwell on that or repeat that. Let me just conclude by presenting to you a few sobering crash facts from Pennsylvania that I think are very important in the debate about revenue and the cost and so on associated with red light cameras. More than 1,000 Pennsylvanians are killed each year in preventable motor vehicle crashes. Motor vehicle crashes are the leading killer of children, teens and young adults. Finally, the annual cost of fatal crashes in Pennsylvania is more than 1.5 billion dollars, with a B, and that comes from the Centers for Disease Control. This cost does not include tens of thousands of non-fatal crashes and property

damage crashes so keep in mind that billions of dollars in annual crash costs to Pennsylvania residents. Weigh that against the fines that are paid by red light runners and other drivers who are convicted of traffic offenses, and again, in the interest of time, I will end my remarks and be happy to answer questions, particularly if they can be helpful in traffic engineering issues.

CHAIRMAN GEIST: I want to thank you very much. I really appreciate your expertise and as we, the Committee, works as I hope you would be available for some phone calls. We may be tapping you for some information that we may need. No questions on the members? Thank you very much. Next up is Elam Herr, and I know he had a meeting with the Speaker and they were sending in a player to be named later.

MR ADAMS: Good morning Chairman Geist, Representative McGeehan, Members of the House Transportation Committee. My name is Cory Adams. I'm the Legislative Analyst for the Pennsylvania State Association of Township Supervisors and, as mentioned, I will be pinch hitting for Elam today. Thank you for the opportunity to appear before you on behalf of the 1,455 townships represented by the Association. Townships comprise 95% of the Commonwealth's land area and are home to more than five and a half million Pennsylvanians. That's nearly 44% of the State's population. These townships are very diverse ranging from rural communities with fewer than 200 residents to more populated communities with populations over 60,000. Today our society is moving at a faster pace and more people are in a hurry at an attempt to keep up with their busy lives. Township Supervisors frequently hear complaints from their residents that cars are traveling at excessive speeds and causing dangerous conditions on township roads. In fact, speeding and traffic related conditions are the most frequent complaints received by the Board of Supervisors in many Townships. When the General Assembly authorized Philadelphia to use automated red light camera enforcement, the

program was designed to enforce traffic signal safety and decrease accidents. Now, there is the possibility of expanding this law to encompass additional high traffic intersections outside of Philadelphia. We should review the safe guards that were in place in the original law and determine if additional common sense provisions are needed. Nationally, the use of automated red light cameras has been prolific. Hundreds of municipalities felt half of the states have red light camera enforcement in place. Unfortunately, it appears that in some cases outside of Pennsylvania these devices have not always been installed strictly for safety purposes and some contracts tie the vendors' compensation to the number of tickets that are issued. As such recent studies by public interest groups suggest, caution in implementing additional devices and recommend that reasonable measures be put in place to separate safety from financial gain of both the vendor under contract and the municipality authorizing the camera. Pennsylvania's current law establishes automatic red light cameras and already has checks and balances in place to ensure that only those intersections meeting established criteria are targeted and with the revenue distribution formula designed to increase safety, not just increase revenues. State oversight of automated red light enforcement programs is a recommended practice and one that is in place in Pennsylvania. PennDOT establishes the criteria for intersections, and evaluates and must approve all proposed intersections. We agree that this is a reasonable provision which should continue with any expansion of the program. In addition, the Department oversees the automatic red light enhancement grant program, which provides traffic safety enhancement grants to municipalities across the states. Half the revenue from the currently authorized automatic red light camera program is deposited into this fund; Philadelphia receives the other half of the funding. If this program is expanded, this revenue split should be retained with the municipality in which the cameras are located receiving half the revenues and a successful

ARLE program receiving the other half. PSTATS can support a limited expansion of this program to intersections that meet PennDOT criteria and that are approved by the Department. While some proposals would expand the program to third class cities only, we contend that this program should focus on the problem intersections that meet the Department's criteria and for which an alternative engineering solution is not available regardless of where the intersection is located. Many heavily traveled intersections that present a safety problem are located in townships and other municipalities that could benefit from this enforcement mechanism. The purpose for expansion of this program is to improve public safety at problem intersections throughout Pennsylvania; not in a select few municipalities. As to extending the program to all municipalities, it gives the appearance that the expansion is an attempt at revenue enhancement for third class cities, rather than the safety focus that it should be. We believe that the ability to use automated red light cameras in a limited capacity would enhance municipality's ability to enforce traffic signal compliance and, therefore, improve safety for our communities. These devices have been shown to decrease red light running and side impact accidents according to the Insurance Institute for Public Safety. Just a number of other recommendations that we have to improve the bill itself, we'd ask that any proposals include that insuring the payment to the vendor as it's not tied to numbers of tickets actually issued, restrict the use of driver data obtained by vendors for enforcement purposes only, and maintain a reasonable process for contesting tickets, including an accepted defense if the person named in the notice was not operating the vehicle, did not own it at the time, or the vehicle was stolen. We believe that authorizing the use of automated red light enforcement for a limited number of intersections outside of Philadelphia would enhance traffic safety in the Commonwealth. Thank you for the opportunity to appear before you today, I'll try to entertain any questions you may have.

CHAIRMAN GEIST: Thank you for pinch hitting, I think you probably did a much better job than Elam could have done.

MR ADAMS: Thank you, he heard that too, he just walked in.

CHAIRMAN GEIST: Would you like to answer a few questions please? Representative Carroll?

REPRESENTATIVE CARROLL: Thank you and thanks for the testimony and I know Elam walked in, so if you need help with this one you feel free. You mentioned that you're interested in expanding this beyond Philadelphia to other communities including townships. I for one represent a township with 20,000 folks I also represent a township with less than 500. The township with 20,000 folks doesn't have a full time police department. Does the Association still embrace the location of red light cameras in townships such as the one I just noted with 20,000 folks that does not have a full time police department?

MR ADAMS: Well, I think they're two separate issues and I think, primarily, without a police department the added benefits that the automated red light enforcement would have in place could only be a benefit to that municipality. So, I would say we would have to address the police issue at a separate time, but I think we would be supportive of that. The issue at hand is safety. You have these high risk intersections, I think, that a paramount issue to ensure that these intersections are safe.

RERPESENTATIVE CARROLL: It just seems like an awkward transaction when you don't have the built in police presence to make a determination as to whether or not to issue the citation or not. I guess we'd be passing the ball off to the State Police on that?

MR ADAMS: Well, I mean, that would be an issue for the municipality to work with their barracks commander on. That's an issue that could be addressed on the ground level.

Many municipalities currently have relationships with their State Police barracks to patrol problem intersections and other areas like that and that doesn't bring up an issue, so I wouldn't imagine this issue would be problematic either.

REPRESENTATIVE CARROLL: Okay, thank you.

CHAIRMAN GEIST: Counselor Watson, Representative Watson?

REPRESENTATIVE WATSON: Thank you, Mr. Chairman. May I characterize, and it's in the form of a question, to say if I'm paraphrasing correctly: it would be then, that your organizations' position that if red light camera was extended, it would be, you would see it to, it could be any municipality, if it conforms to all of what I will call the tenants that are in the original legislation, meaning its' primary, it is the intersection is chosen and done and has documentation, either a traffic study is done or one has existed, that says, as it was in Philadelphia, that we had two in the top 10 nationally? Alright, and second, that absolutely the revenue structure would be the same, so that it was not to be a revenue generation mechanism but, again, it was done for safety? You would also, I guess, require, or you would endorse, the fact that there would be some sort of monitoring of this, in effect, a report that we can see and we would be able to measure in some way that the intersection, the safety of the intersection, improved? Crashes lessened, fewer people hurt, all of that? Is that where you're headed?

MR ADAMS: Yes, our concern with the current legislation, as it is right now, only extending it to third class cities, we're a little concerned that it seems despite whether it's a fair assessment or not that it appears this legislation appears to be moving for a revenue driven perspective for those types of municipalities and we have concerns with that. Taking your second point, it is essential that it follows the current safe guards that are in place as it exists in Philadelphia. It must for this kind of program to work, whether it's in Philadelphia itself or third



class cities or all municipalities in the Commonwealth; it needs to be from a safety perspective. That's essential; it cannot be towards revenue and there needs to be stringent safeguards in place and transparent, how the contracts are established the ability for municipalities to withdraw from a contract. As I mentioned, use of driver data for enforcement purposes only, not for some extra purpose, so there needs to be diligent safeguards in place, and it needs to be safety prioritized.

REPRESENTATIVE WATSON: Then, if I may draw my conclusion from that, and suggest to some of my colleagues on this committee if we were to follow all that which I happen to agree with, I would think regardless this would be very self limiting. That, even if you were to extend it in, say, all 2,500 or whatever number, we'll round it to 2,600 municipalities, many of them, most of them, I think Representative Carroll made a point too, they would not, they won't have an intersection that qualifies, they don't have the study done, it simply isn't, it's not appropriate for them. And they don't have the wherewithal, quite frankly, to do the traffic studies, to do this when you talk about some of the small places. They don't have a place like that, and there would be no incentive to say yea, but we could make some money on this. No, you would not make some money on this, so the only way, I guess I would personally endorse things like that, would be that absolutely we adhere to what has worked and I think that is what Triple A was saying. That we have a model that has worked and I think by itself it becomes self limiting, having been a former Township Supervisor and even for the nine municipalities I currently represent, most of them couldn't possibly qualify regardless to make use of red light cameras. Whether it becomes law that every, it's open to everybody, or just a particular third class city or whatever. Thank you.

CHAIRMAN GEIST: No other questions, thank you very much. Batting cleanup today the National Motorists Association Foundation, James C. Walker, Board Member.

MR WALKER: Mr. Chairman, Members of the Committee and guests. Thanks for the opportunity to provide testimony on this important issue. My name is Jim Walker; I've been a member of the Motorists Association for 16 years. I testify frequently at our State Legislature in Lansing on many different motorist issues. One of our goals is to see that all traffic enforcement programs and laws are based on safety, only on safety, never on revenue. We do think that many red light camera programs are about maximizing revenue, not about maximizing safety. We also believe that there are more effective ways and less expensive ways to enhance intersection safety other than cameras. And we do object to some of the due process issues involved with camera enforcement, whether it's speed or red light. Recent data reported in the *Inquirer* said that police data in Philadelphia showed that accidents were up at red light camera intersections in Philadelphia. That echoed the same style report from 2005 reported in the *Philadelphia Weekly* that showed accidents were up initially, so I agree that accidents can go up, particularly the rear end when you first put in the camera. The problem I have with extending the Philadelphia program is that they are still up and its six years later. So, I don't believe that they do go back down and stay down. To me, it's a Hippocratic principle; you should first do no harm with any traffic enforcement. I think you should look only at unbiased reports and research, and unbiased means a report done by someone with absolutely no financial conflict of interest in the results of their research. That would make me trust for instance police data in Philadelphia more than from the Parking Authority. It was suggested that there were not very many studies showing more crashes with red light cameras and I don't believe that's correct. In my written testimony, which is attached to the oral, there are studies in the District of Columbia, North Carolina, Virginia, Florida, Australia and Ontario, that all show increased accidents with red light cameras. And has anybody ever noted the irony of the red light camera company presentation showing terrible

intersection crashes recorded by red light camera that didn't prevent it? Most T-bone crashes are caused by late entries, two to five seconds into the red often by impaired or distracted drivers who are unlikely to be affected by the cameras. The new Public Information Research Group report details many ways that the contracts are crafted to emphasize revenue; I think Philadelphia contract avoided some of those but not all of those. The PIRG report also shows where camera companies aggressively resist ending contracts early, most dramatically in Houston where ATS threatened to sue for 25 million dollars when Houston wanted out of their contract early. If cameras are not the answer to increased intersection safety, what is the answer? We think the most effective way to do it is with safer, longer yellows. A 2003 Texas Transportation Institute study concluded an increase of a half to one and half seconds in yellows decreased the red light violations by at least 50%. Other reports more recently show 60 to 90% reductions in red light violations, with longer yellows and I disagree with earlier testimony that they come right back up. I think there is a lot of research that shows they come back up a little bit as drivers adjust to the longer yellow, but not back to the original level. Georgia instituted a required one second longer than federal minimum yellows and violations drop 70 to 80%, to the point that many municipalities took their cameras out; they were no longer financially viable. About 80% of all violations occur within the first second of a yellow, but many cities set yellows about one second too short for the actual approach speeds. This is by using commonly under posted speed limits as the factor in calculating the length of the yellow. If you use the actual 85<sup>th</sup> percentile approach speeds as the factor to time your yellows, you will find the violation rates will be much lower and will stay lower. And, I would like you to consider one point very carefully: every red light camera sales pitch is partly based on improving safety and reducing crashes. But if red light cameras actually prevented most red light violations, how would the red light camera

companies make any money? Or, in the converse, if it's a flat rate style of contract, as you've done here, how could the city possibly justify having the camera if they prevented most violations? Reduced violations with safer longer yellows are counterproductive to the profits for the camera companies, or the cities, or the governmental authority involved. Using too short yellows is typically the reason you get more rear end crashes. And using longer ones will stop most of that. Slow rolling right on red turns or stopping in the wrong places have been commented on also causes a lot of red light violations in many programs. Improperly, because slow rolling right on red is an extremely rare cause of a crash. I'm going to skip the due process parts of my commentary, you can read those. I have one last point: we know of 23 Cities where citizens could vote for or against cameras and we think real votes are far more definitive than polls. Cameras lost in 22 cities and the data is attached. The only place where cameras won a public vote was last Tuesday in East Cleveland, and the only way that that occurred was the city sent off duty police officers in uniform, in police cruisers, going door-to-door asking voters to retain the cameras. They used a kind of moral blackmail by telling voters that 36 police officers, 14 fire fighters, and 10 other workers would lose their jobs without the ticket camera revenue. We think East Cleveland should be the poster child of what's wrong with red light camera programs. Cities become addicted to the revenue and rather than seek lower violation rates and greater safety with better engineering, they have to keep the deliberately improper engineering in place in order to maintain the revenue stream. We would believe that the real answer to prohibit red light, the real answer is to prohibit red light cameras entirely, so cities absolutely have to do all of their engineering for safety, not for ticket revenue. We ask that the Philadelphia program be ended and that no further camera systems be allowed in Pennsylvania.

CHARIMAN GEIST: Thank you very much. Representative Costa?

REPRESENTATIVE COSTA: Thank you Mr. Chairman. Mr. Walker, you're from Wisconsin?

MR WALKER: No, actually I live in Michigan. Our headquarters is in Wisconsin.

REPRESENTATIVE COSTA: Thank you. You sat here all day just like we did and you heard everyone's testimony. You even heard the gentleman from AAA say that any of those violations or abuses have never occurred in Pennsylvania. And you still, and you saw the reports and you heard everyone give these reports, granted you don't believe the Parking Authority one, but all the other ones say that crashes have been reduced and you still don't want to believe that these work?

MR WALKER: Oh, I do believe cameras do reduce crashes, but I don't think they reduce them by nearly as much as if you do the engineering correctly, and the most common item you need to do is longer yellows. I think if you went out and inserted another second of yellow in every Philadelphia intersection with a camera you'd find a dramatic reduction in violations and crashes.

REPRESENTATIVE COSTA: Thank you.

REPRESENTATIVE REICHLEY: Thank you, Mr. Chairman. I think it's invalid that if you extend the yellow period you reduce the number of violations, because they aren't violating. So, it's sort of a self fulfilling prophecy: if you extend the yellow period you're reducing violations. My question to use is: have you been able to examine the contracts that any of the municipalities throughout country have entered into?

MR WALKER: I've looked at quite a few of them.

REPRESENTATIVE REICHLEY: Do any of them place the municipality at a disadvantage? Either financially, man power wise in any way?

MR WALKER: I would think not, though I'm not sure I understand the thrust of your question. Most of the contracts I've seen are set up in such a way that the municipality is very unlikely to lose any money. I believe the only way that occurs is if the engineering is improper so that sufficient violations occur in order to make the cameras pay for themselves.

REPRESENTATIVE REICHLEY: But even under that scenario, whether it's because they are making money or you see a higher number of violations or reduced crashes, are you able to state that in any situation that the municipality is worse off for having installed red light cameras?

MR WALKER: Worse off in what sense?

REPRESENTATIVE REICHLEY: In any sense.

MR WALKER: Yes, because I believe if you did the engineering properly, I believe you would have fewer violations and fewer accidents.

REPRESENTATIVE REICHLEY: Okay, thank you Mr. Chairman.

MR WALKER: The data I've seen is you can get 70 to 80 to 90% reduction in violations. And someone who stops for a red light has zero risks to cause an intersection accident; none whatsoever. The thrust should be to stop the violations.

CHAIRMAN GEIST: Thank you very much. I think in summing up in part of the package, you'll find this written testimony that wasn't presented verbally today. PIRG, PennPIRG, of Pennsylvania, is national information. I want to thank everybody that participated today. Our Committee has some heavy lifting to do and we need to do it rapidly and we're looking forward to it and we couldn't do it without the information that was provided here today. Thank you everybody we're adjourned.

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