

HOUSE COMMITTEE ON TRANSPORTATION

February 08, 1999 Hearing Room D

8:30 a.m. Tapes 18 - 19

MEMBERS PRESENT: Rep. Bob Montgomery, Chair

Rep. Mike Lehman, Vice-Chair

Rep. Richard Devlin

Rep. Jim Hill

Rep. Jeff Kropf

Rep. Jerry Krummel

Rep. Jane Lokan

Rep. Jackie Taylor

Rep. Vicki Walker

Rep. Larry Wells

STAFF PRESENT: Janet Adkins, Administrator

Brad Daniels, Administrative Support

MEASURE/ISSUES HEARD: HB 2071 Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 18, A		
004	Chair Montgomery	Opens meeting at 8:34 a.m. Opens public hearing on HB 2071.

HB 2071 PUBLIC HEARING

009	Janet Adkins	Committee Administrator. Explains HB 2071. Introduces ñ2 amendments (EXHIBIT A).
024	Rep. Bruce Starr	District 3. Opposes HB 2071; however, if the committee does pass the bill, urges adoption of ñ2 amendments, which require notification by signs in the intersection. Expresses his understanding of the problems with red light running, but supports more traditional means of enforcement. Stresses the importance of caution and public notification when authorizing such technology.
054	Rep. Krummel	Asks about an officerís ability to stop a motorist safely in or near a busy intersection.
064	Rep. Starr	Supports the use of saturation patrols, education and increased traffic fines as opposed to the use of cameras.
078	Rep. Lehman	Asks if the required signs for the use of photo radar are currently visible.
085	Rep. Starr	Replies that he has never seen photo radar signs in Beaverton, but he has noticed a sign on US 26 near Portland.
096	Rep. Hill	Asks if it is more dangerous to stop a red light runner versus any other traffic offender.
108	Rep. Starr	Responds that saturation patrols are a simple remedy for problem intersections
113	Rep. Hill	Asks if the City of Hillsboro has a traffic team.
116	Rep. Starr	Replies yes.
118	Rep. Devlin	Asks if Rep. Starrís opposition to the bill would be the same if an officer was present taking the picture as opposed to an unmanned camera.
130	Rep. Starr	Replies no.
140	Mark Landauer	Lobbyist, City of Portland. States that the City of Portland supports HB 2071 (EXHIBITS B & C).
170	Captain Pat Nelson	Traffic Division, City of Portland Police Bureau. Supports HB 2071 and lists the benefits. Discusses his history with traffic violators. Explains the difficulty of catching red light runners and the danger to officers and pedestrians. States that he has not seen any license plate covers that are able to make red light cameras ineffective (EXHIBIT D).

255	Rep. Wells	Asks when a person technically runs a red light.
263	Nelson	Responds that a person can be legally stopped if he/she enters the intersection on a yellow light, but could have stopped in time. Explains that the vehicle must be moving at a threshold speed in the trigger area for the camera to be engaged.
281	Rep. Wells	Asks when the camera actually turns on.
286	Rob Burchfield	Assistant City Traffic Engineer, Portland. Explains that detectors will be placed on the approach to the intersection at the stop bar and will engage 3/10 of a second after the light turns red. States that vehicle must be moving at 10-15 miles an hour. Underscores that a picture will not be taken unless the vehicle meets these criteria.
325	Rep. Wells	Asks if red light cameras will enforce the current statute.
332	Burchfield	Replies that the current statute requires an officer to make a judgment about the capability of drivers to stop.
338	Rep. Wells	Asks if HB 2071 will create a conflict between camera enforcement and officer enforcement.
350	Nelson	Replies no. Indicates that he has seen citations for recklessly running a yellow or red light.
363	Rep. Wells	Indicates that he perceives a conflict and stresses the need for consistency.
371	Rep. Walker	Asks Nelson about the type of traffic enforcement in the Terwilliger Curves area.
399	Nelson	Responds that doing saturation patrols on intersections is more difficult than on a freeway.
409	Rep. Walker	Asks how long they anticipate operating the cameras during the day.
420	Burchfield	Answers that he would like cameras to be turned on 24 hours a day. Adds that the violation rate of one per hour does not make saturation patrols cost effective.
436	Rep. Walker	Expresses a number of concerns: the decision not to mail the photos to violators, the mailing period, the differences between the statute on photo radar and HB 2071, and the legal difficulties of mounting a defense against this type of system.
TAPE 19, A		

037	Nelson	Answers that enforcement officials are presently including the digitized picture on photo radar citations. Indicates that out of 49,000 people cited using photo radar, only 2,000 people have asked for appointments.
055	Burchfield	Cites the differences between the number of violations per hour that occur using photo radar and would occur using red light cameras as an argument against requiring an officer present. Explains that HB 2071 lengthens the processing time because of the time needed to retrieve the film.
081	Nelson	Explains the different roles of officers in the use of photo radar and red light cameras.
096	Rep. Walker	Asks how the photographs are used as evidence in court.
105	Linda Mevy	Deputy Assistant Attorney, City of Portland. States that the photograph is offered as evidence by the officer.
122	Rep. Devlin	Asks Mevy if the act of running a red light is an infraction rather than a misdemeanor and what the standard of evidence is for this infraction.
125	Mevy	Replies yes; a preponderance of evidence is required.
126	Rep. Devlin	Asks Nelson if the estimated cost of a traffic officer is about \$100,000 a year.
135	Nelson	Replies yes.
137	Rep. Devlin	Asks if officers are now required to mail reports rather than physically investigate misdemeanor crimes due to insufficient resources. Also asks if any red light offenses have resulted in fatalities.
145	Nelson	Replies yes to the first question. Indicates that there have been four fatalities in the last year.
154	Rep. Devlin	Asks Burchfield if the photos are conventional or digital images and if someone could be cited for turning right at a red light.
157	Burchfield	Responds that traditional wet film technology would be used and someone would not be cited for turning right at a red light.
166	Rep. Devlin	Supports HB 2071.
170	Rep. Hill	Asks if photo radar is used at night.

173	Nelson	Replies no. Explains that the flash would bother the driver.
177	Rep. Hill	Asks if red light cameras would be used at night.
178	Burchfield	Answers that red light camera would be used at night. Notes that flash would not be a distraction for drivers.
188	Rep. Hill	Refers to page 27 of EXHIBIT B . Asks how officers will match the driver to the photograph.
202	Nelson	Explains how officers identify drivers with photo radar using gender distinctions.
214	Rep. Hill	Asks if vehicle registrations include gender information.
221	Nelson	Answers that the name is usually indicative of gender.
229	Rep. Hill	Asks if it is their intention to use license photos taken at the DMV.
229	Nelson	Replies no, but would do that if they had the appropriate technology.
233	Rep. Krummel	Asks if saturation patrols have been consistently effective at the Terwilliger Curves.
267	Nelson	Defends the effectiveness of saturation patrols in the Curves region. Adds that accidents are down over 50%.
282	Rep. Krummel	Asks why digital technology will not be used.
296	Burchfield	Explains that digital technology is an emerging technology and may have possible problems with resolution or tampering.
318	Rep. Taylor	Asks whether cities will be purchasing or leasing the red light technology.
337	Burchfield	Replies that most cities lease the equipment and pay a per citation fee to the vender.
348	Rep. Taylor	Asks if there would be any change in signal timing in intersections where red light cameras are located.
353	Burchfield	Responds no. Reports that a change might be made if the intersection is a consistent problem.

367	Rep. Lehman	Asks why a state law is needed to authorize this technology.
371	Mevy	Explains that the current statute only authorizes an officer to issue a citation if he/she is present.
377	Rep. Lehman	Asks if the primary problem is the admissibility of photos in court.
385	Mevy	Replies that it may be a problem for the officer actually to issue the citation.
394	Rep. Lehman	Asks if the photos can be used as evidence in other civil or criminal actions.
403	Mevy	Explains that radar photos are usually not retained if no citation is issued. States that she is not aware of any instance where the photo has been used for the prosecution any other violations or crimes.
418	Rep. Lehman	Asks if the photo would be admissible in a particular example.
424	Mevy	Expresses uncertainty.
429	Rep. Lehman	Asks if there is any distinction between how long and where digital images would be retained as opposed to traditional photos.
TAPE 18, B		
022	Mevy	Explains that those issues would have to be addressed by specific guidelines.
025	Rep. Lehman	Asks if local jurisdictions will have the authority to set all guidelines and regulations pertaining to this technology.
030	Mevy	Replies yes.
032	Rep. Lokan	Asks about the response to red light cameras in other states.
044	Burchfield	Cites studies in California and Maryland that describe the cameras' effectiveness.
054	Rep. Lokan	Asks what problems these jurisdictions have encountered.
058	Burchfield	Responds that technological glitches are the primary problems.
068	Rep. Lokan	Asks if the expense justifies the results.

071	Burchfield	Answers yes, that alleviating the danger to passengers and pedestrians is worth the cost.
085	Rep. Lokan	Asks about the use of photo radar in other states.
090	Burchfield	Notes that most states have implemented red light cameras before photo radar.
100	Rep. Kropf	Asks Mevy if she knows of any cases where photos were used as evidence for another crime.
110	Mevy	States that she has not seen any examples of this use.
114	Rep. Kropf	Expresses concerns about constraining personal liberties, but emphasizes safety as the most important issue. Supports HB 2071.
133	Rep. Wells	Asks if they are going to move the cameras periodically.
146	Burchfield	Explains the costs of camera installation, how cameras can be moved, and when moving the cameras would be pertinent.
183	Rep. Hill	Inquires how the cameras' success will be empirically measured.
187	Burchfield	Answers that crash and total violation statistics would be used.
222	Troy Costales	Transportation Safety Division Manager, Oregon Department of Transportation (ODOT). Discusses HB 2071's impact on ODOT and the DMV (EXHIBIT E).
237	Chair Montgomery	Asks how much Oregon spends biennially on traffic safety.
243	Costales	Replies that the Transportation Safety Division's budget is \$18 million.
245	Kevin Campbell	Oregon Association of Chiefs of Police. Supports HB 2071. Explains that police chiefs support this technology. Notes that the red light technology should be a portion of a total enforcement strategy. Explains that voluntary compliance, rather than catching offenders, is the important issue.
302	Rep. Krummel	Asks if there is any reason for restricting the authorization to three cities.
311	Campbell	Explains that his organization would be supportive of a statewide approach.
322	Rep. Krummel	Asks if the danger to officers primarily occurs in traditional four way intersections

330	Campbell	Answers that the danger would be apparent in any intersection with a red light.
345	Rep. Krummel	Asks about the Optima system used by fire departments. Asks if police can use this system to manipulate the right of way in an intersection.
362	Campbell	Expresses uncertainty.
378	Chair Montgomery	Asks how much a vender profits from an average red light ticket.
388	Campbell	Replies that he is unable to answer.
410	Chair Montgomery	Closes public hearing on HB 2071. Adjourns meeting at 9:56 a.m.

Submitted By, Reviewed By,

Brad Daniels, Janet Adkins,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñHB 2071, -2 Amendments, staff, 2 pp.

B ñHB 2071, Testimony, Mark Landauer, 1 p.

C ñHB 2071, Study of automated enforcement for red light running, City of Portland, 48 pp.

D ñHB 2071, Testimony, Captain Pat Nelson, 6 pp.

E ñHB 2071, Testimony, Troy Costales, 2 pp.