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Bill revises red-light regulations

It would clarify rules for police, end 'snitch' tickets at intersections with cameras

BY DUG BEGLEY
THE PRESS-ENTERPRISE

More rigorous rules for installing red-light cameras at Inland-area intersections could be on the way, as a state senator combats what he feels is lax oversight of the operations and the reality that some cities are more interested in the revenue than road safety.

But supporters of the status quo say the new rules will put the brakes on the cameras altogether by making their cost prohibitive.

Cameras currently operating in nine Inland cities won't be affected. But as cameras go up around the state, officials would face more scrutiny and stricter standards when they propose them.

Meanwhile drivers, understanding the need for the cameras but infuriated by the high fines and annoying bureaucracy surrounding them, just want something done.

"They just make me sick," said Tom Pardine, of Riverside, who has never been ticketed but knows people who have been. "I think they're a scam for the police to make money ... I think they make it difficult to deal with them, thinking people will pay."

Frustration over the fines and the cameras are what led Sen. Joe Simitian, D-Palo Alto, to propose a bill expanding the requirements for police and cities interested in the cameras. Specifically, the legislation would:

- Require cities to document how installing cameras will reduce accidents, and make the justifications they use accessible to the public.

- Invalidate tickets not reviewed by a sworn police officer.

- Set stricter standards for how drivers accused of violations are notified of the citations.

- End the use of so-called "snitch tickets" that ask drivers to identify the person photographed by the cameras.

- Require signs at all intersections where red-light cameras are in use.

The bill passed the state Senate earlier this month. The Assembly Transportation Committee is scheduled to discuss it Monday.

"I don't for a moment underestimate the seriousness of running a red light," Simitian said. "The notion here is let's make sure there is some fairness and that they are being used to improve safety, not raise revenue."

Though some cities have installed the cameras and reported reductions in crashes caused by running red lights or illegal right turns on red, Simitian said he is concerned by statements from municipal officials that they want the cameras to be moneymakers for cities.

Cities have handled the issue of red-light cameras differently. Moreno Valley pulled them, citing their lack of moneymaking potential. Hemet officials have balked at installing

the cameras, fearing the expense of defending the tickets in court

But other cities, while also criticized by some for their cameras, stand behind them as powerful public safety tools. Accidents at intersections with the cameras are down, according to officials in Riverside, Corona and San Bernardino.

That's why some cities and municipal groups worry Simitian's bill goes too far, and will cost too much, jeopardizing a good thing.

"Cities reeling from major budget cuts have already made tough decisions that include law enforcement department layoffs," said Jennifer Whiting, legislative representative for the League of California Cities, in a letter to state Senate officials.

STOP SNITCHING

One of the most irritating facets of the tickets, drivers have said, are snitch tickets — the notices many cities, or the companies they hire, send out telling the recipient they must ID the person in the photo.

"You are effectively told if you can't or won't identify the driver, you will receive the ticket," Simitian said.

But the notices are not tickets, and compel someone who might have no idea who the person in the photo is to do their own detective work. It is also a violation of people's right to avoid self-in-

crimination, Simitian said.

Unless the person the notice is mailed to is ordered to a particular court at a particular time and the letter includes a violation number, it is not valid.

Simitian proposed the bill as part of a "there ought to be a law" contest where he solicits suggestions from state residents. He said the idea came from San Jose resident Vera Gil, who kept getting accused of red-light violations in Southern California despite her car having a different license plate and the person in the car not resembling her.

"When I looked at her issue, I learned Ms. Gil's problems really are the tip on the iceberg," Simitian said.

LEVEL FIELD

Many cities use employees, but not sworn police officers, to issue tickets. When accused red-light runners call to challenge the ticket, they wade through a bureaucratic bog to try to get the erroneous ticket erased.

Pardine said his daughter-in-law received one last year and wanted to challenge it. He said she eventually paid the ticket because fighting it wasn't worth it.

"But she's in the right," he said. "They won because they're holding all the cards."

Simitian said just as drivers face deadlines and have to back up their claims, so should police.

"I just think that we need to do everything we can to

ensure accuracy and protect people's due process rights," he said.

The "laundry list" of requirements Simitian's bill includes would essentially make operating and justifying the cameras and ensuing tickets too costly for cities, Whiting said.

HELPFUL TOOL

Some cities in the Inland area already are following the same rules Simitian is proposing, a practice that has allowed them to avoid criticism and reduce accidents, officials said.

"We do our homework and I think it has paid off," said Cpl. Jay Froboese, manager of Murrieta's red-light camera program.

In Murrieta and other Inland cities, target intersections are often marked with signs.

Froboese said many also choose where to put cameras after researching where red-light runners and accidents are common.

"The first thing we do is pull five years of traffic accidents," he said.

If a city is issuing many more tickets based on more red-light runners, Froboese said they might want to look at other factors than inattentive drivers.

"What really draws a lot of attention to them is there are cities that might have poorly engineered intersections," he said. "Do they have trees or obstructions that make it hard for people to see the signal?"

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Red light camera reform welcome

We are pleased that Gov. Jerry Brown has signed legislation that will reform the use of red-light cameras by local governments in the state. The changes will create statewide standards for the operation of red-light cameras, and will give motorists a better chance of challenging unjustified tickets.

Red-light cameras in many cities have been set up solely to raise money and had little to do with safety. Because local governments were chasing ticket revenue, they established procedures making it very difficult to challenge questionable tickets. They also made the red-light cameras tickets much more costly than other violations.

The law, which will go into effect Jan. 1, will require that the cameras be installed as a traffic safety measure and not a revenue-collection device. That means the placement of cameras must be based on evidence that they will make an intersection safer.

State Sen. Joe Simitian, D-Palo Alto, previously had tried to get the

reforms passed. He was successful this year, with the signing his bill Friday.

Simitian sought the changes after hearing about the case of a San Jose resident, Vera Gil, who received several tickets from red-light cameras for a car in Southern California that she didn't own and had never driven. It was almost impossible for her to challenge the tickets because of all the hoops that she had to jump through to clear her driving record.

After investigating her case, Simitian found that Gil's "experience was just the tip of the iceberg," and that reforms were needed statewide.

"Red-light cameras can be an important public safety tool, but they shouldn't be abused," Simitian said in a statement. "This bill will establish important ground rules, ensure that if drivers get a ticket that they shouldn't have, they can contest the ticket easily. It will put driver safety, rather than the revenue, first."

We applaud the important changes made in this reform bill.