

COUNCIL AGENDA SYNOPSIS



-----Initials-----			
Meeting Date	Prepared by	Mayor's review	Council review
10/22/18	BD	<i>BD</i>	<i>BD</i>
11/05/18	BD		

ITEM No.

4.B.

ITEM INFORMATION

STAFF SPONSOR: BILL DEVLIN	ORIGINAL AGENDA DATE: 10/22/18
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AGENDA ITEM TITLE **Automated safety camera pilot project and corresponding ordinance**

CATEGORY	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Motion	<input type="checkbox"/> Resolution	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Other
	<small>Mtg Date 10/22/18</small>	<small>Mtg Date</small>	<small>Mtg Date</small>	<small>Mtg Date 11/5/18</small>	<small>Mtg Date</small>	<small>Mtg Date</small>	<small>Mtg Date</small>

SPONSOR Council Mayor HR DCD Finance Fire TS P&R Police PW Court

SPONSOR'S SUMMARY **The Council is being asked to consider and approve the automated safety camera program and the corresponding ordinance.**

REVIEWED BY	<input type="checkbox"/> C.O.W. Mtg.	<input type="checkbox"/> CDN Comm	<input type="checkbox"/> Finance Comm.	<input checked="" type="checkbox"/> Public Safety Comm.
	<input type="checkbox"/> Trans & Infrastructure	<input type="checkbox"/> Arts Comm.	<input type="checkbox"/> Parks Comm.	<input type="checkbox"/> Planning Comm.
DATE: 10/15/18	COMMITTEE CHAIR: HOUGARDY			

RECOMMENDATIONS:

SPONSOR/ADMIN. **Police**

COMMITTEE **Unanimous Approval; Forward to Committee of the Whole**

COST IMPACT / FUND SOURCE

EXPENDITURE REQUIRED	AMOUNT BUDGETED	APPROPRIATION REQUIRED
\$N/A	\$	\$

Fund Source:

Comments: **No Upfront Costs**

MTG. DATE	RECORD OF COUNCIL ACTION
10/22/18	

MTG. DATE	ATTACHMENTS
10/22/18	Informational Memorandum dated 10/10/18
	Powerpoint Presentation
	Ordinance
	Automated Safety Camera RCW/Timeline
	Handout from 10/15/18 Public Safety Com. meeting
	Minutes from the Public Safety Com. meeting of 10/15/18
11/5/18	



INFORMATIONAL MEMORANDUM

TO: **Public Safety Committee**

FROM: **Bruce Linton, Chief of Police**

BY: **Bill Devlin, Sergeant Traffic Division**

CC: **Mayor Ekberg**

DATE: **10/10/2018**

SUBJECT: **Automated Safety Camera Pilot Project Presentation**

ISSUE

Increase public safety on the city roadways through enforcement and education using automated red-light cameras.

BACKGROUND

The most prevalent complaint from our residents is speeding on our arterials and neighborhoods. Our traffic Division has a difficult time keeping up with the increased call for enforcement. In addition to leveraging this technology for increased efficiency, studies have shown that red light cameras will make the city streets safer by reducing red light running violations. They are currently used in King, Pierce, Snohomish, Spokane, and Chelan counties. Here in King County there are programs in Bellevue, Des Moines, Federal Way, Issaquah, Kent, Lake Forrest Park, Mercer Island, Renton, and Seattle.

ANALYSIS

Red light running nationally causes hundreds of deaths, tens of thousands of injuries and billions of dollars in property damage. A driver runs a red light about every 20 minutes and more frequently during peak times. Studies show that automated safety cameras have reduce red light running, which in turn reduces the potential serious injury right angle collisions. They educate the public and that education has a spillover effect to the non-camera intersections. They will assist with increased traffic flow and increase the safety of police officers. The camera systems will assist with better tracking of intersection statistics such as traffic flows, number of vehicles, peak hours of the days, number of collisions, and tickets issued in these intersections. They will provide more efficient service with no additional FTE's. The Police, Prosecutor, City Attorney, Public Works, and the Tukwila Municipal Court supports the program. Studies show that nationally a high percentage of the public is in favor of automated red-light cameras and the Tukwila Police Department has reached out at community meetings and through social media to verify support in our area.

PROPOSED INTERSECTIONS

The proposed intersections for the pilot project were analyzed using collision data, projected violations, layout and potential design difficulty for the cameras system placement. The following proposed intersections are as follows: Boeing Access at Martin Luther King Jr (Southbound and Eastbound - WSDOT), Southcenter Parkway at Strander Blvd (Northbound and Westbound), and Grady at Interurban Ave South (Eastbound and Westbound -WSDOT). Companies such as ATS has worked with WSDOT intersections. The Red-Light vendors will do the installations, that is the normal business model. Signage is required by the RCW and the City will install and maintain them at their expense (vendors will provide the technical assistance with the recommending placement). The cameras have a minimal power draw and will utilize

existing power. If power is not available, the vendor will bring power in and that power will then be available for other city users. These requirements are all part of the contractual agreement.

PUBLIC RECORDS REQUESTS AND RETENTION

Public records requests are forwarded to the city and the city can request needed information from the selected vendor. Images must be retained and accessible up through the exhaustion of the appeals process and then destroyed.

VENDOR SELECTION

The Police Department has drafted an RFP to select a suitable vendor. The review and selection process will incorporate criteria based on experience and a broad level of Service focused on past successes in other jurisdictions.

FINANCIAL IMPACT

Considering normal Red-light Camera Vendor business models, there is no upfront cost, and the per camera, per month charge quoted is estimated at \$4,500.00 to \$5,000.00. These programs are self-funding and vendors normally require a 3-5-year contract to actualize their return on investment.

RECOMMENDATION

Forward to the Council for consideration and approval of the proposal of the 3-year Pilot Program proposal along with the required ordinance at the and ordinance at the October 22, 2018 Committee of the Whole meeting and subsequent November 5, 2018 Regular Meeting.

Further, recommend a phased process for the implementation which affords the Council an opportunity to off ramp at various junctures prior to an actual contract being signed. This affords the department to work through the multiple steps required to ensure a successful program.

ATTACHMENTS

- Automated safety cameras pilot project power point
- Draft automated safety camera city ordinance
- RCW for automated safety camera systems
- Red-light Camera Timeline

Tukwila, Washington

Automated Traffic Safety Camera Program

Key Points

- ▶ Cameras will make the city streets safer, by reducing red light running, which, will reduce potentially serious injury right angle collisions.
- ▶ Cameras will educate the public with potential spillover to surrounding non-camera intersections, which, will help with traffic flow.
- ▶ Cameras will assist with internal investigations, law suits, and traffic collisions in the intersections.
- ▶ Cameras will increase safety of police officers and provide more efficient service, with no additional FTE's.*
- ▶ Camera will allow for better tracking of vehicles, collisions, and tickets issued in these intersections.
- ▶ Police, Prosecutor, City Attorney, Public Works, and Court supports this program, and studies show that nationally a high percentage of the public are in favor of RLC.

General Automated Enforcement Information and Uses

- ▶ Automated enforcement refers to the use of Cameras to enforce traffic safety laws in this case we are talking about red Light running 24/7.
- ▶ Their primary purpose is to improve traffic safety by modifying driver behavior.
- ▶ Many states have laws that explicitly authorize automated enforcement. Here in Washington it is RCW 46.63.170.
- ▶ The most common type of automated program is for red light violations. The use of cameras to enforce speed limits is less common, but increasing, especially in school zones.
- ▶ Many jurisdictions treat automated enforcement citations just like parking tickets in that the registered owner is liable. Parking tickets do not result in points and/or not recorded on a driver's record.

Local Automated Enforcement Uses

- ▶ In our State/area there are currently 17 programs, with 343 Safety Cameras
- ▶ They are used in King, Pierce, Snohomish, Spokane and Cheilan Counties
- ▶ King County ATS camera programs include Bellevue (9), Des Moines (11), Federal Way (16), Issaquah (2), Kent (8), Lake Forrest Park (11), Mercer Island School District (5) Renton (18) Seattle (59), Seattle Public Schools (120)

The Need for an Automated Red Light Program

- ▶ Their primary purpose is to improve traffic safety.
- ▶ From our mission statement -We provide superior services that support a safe, inviting and healthy environment for our residents, businesses and guests, this includes our roadways.
- ▶ And from our core values we are Responsive - We are timely and effective in the delivery of great customer service. We continually strive to find innovative ways to improve. These cameras are an innovative way to make a streets safer.
- ▶ Why is red light running a problem? Red light Runners cause hundreds of deaths, tens of thousands of injuries, and billions of dollars in property damage each year. In 2016, 800 people were killed, and an estimated 137,000 were injured in crashes that involved red light running.

How Often do Drivers Run Red Lights?

- ▶ National studies show that in busy intersections, prior to the use of red light cameras, a motorist ran a red light about every 20 minutes and during peak times it was more frequent.
- ▶ One analysis of red-light violation data from 19 intersections without red light cameras, in four different states, found a violation rate of 3.2 per hour per intersection.

Do Red Light Cameras Reduce Violations and Collisions?

- ▶ Yes, in addition to the decrease in red light running at camera-equipped sites, studies show this effect is carried over to nearby signalized intersections that are not equipped with red light cameras.
- ▶ An Insurance Institute for Highway Safety (IIHS) international red-light camera study concluded that cameras lower red light violations by 40-50 percent.
- ▶ A 2016 Institute study comparing large cities with red light cameras to those without found the devices reduced the red-light running crash rate by 21 percent and the rate of all types of fatal crashes at signalized intersections by 14 percent.
- ▶ Previous IIHS research in California found significant citywide crash reductions followed the introduction of red-light cameras and injury crashes at intersections with traffic signals were reduced by 29 percent.

Red Light Violations and Injury Collisions

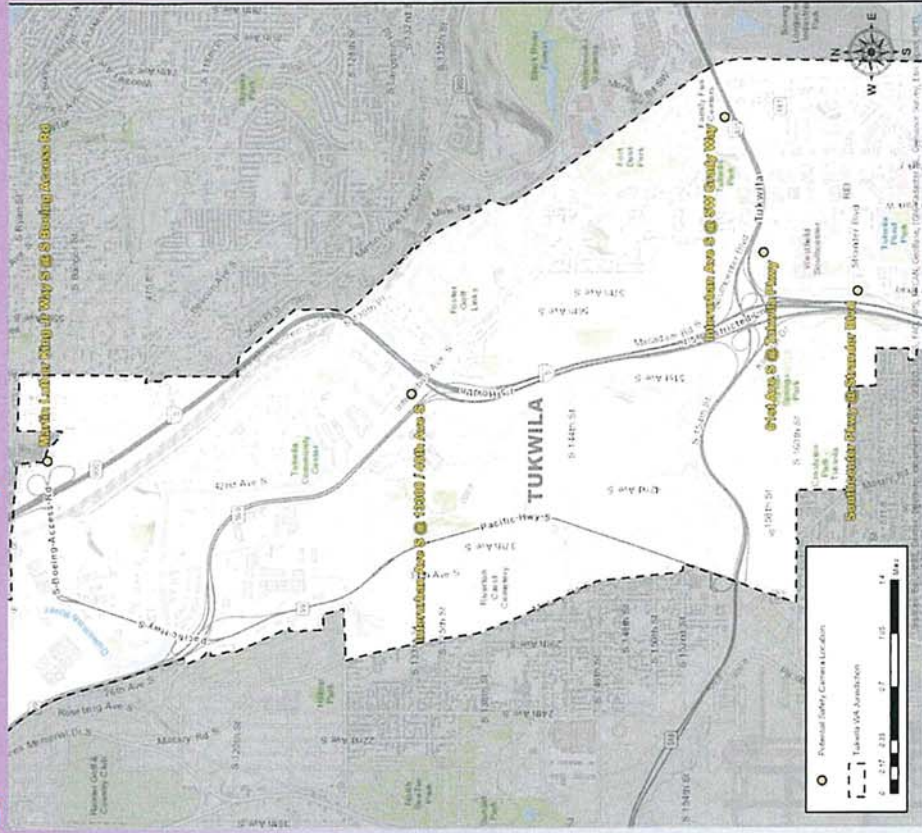
- ▶ Front into side collisions (right angle), the crash type most closely associated with red light running, at these intersections declined by 32 percent overall, and front side crashes involving injury fell 68 percent.
- ▶ An institute review of international red-light camera studies concluded that cameras reduce injury crashes by 25-30 percent.
- ▶ The Cochrane Collaboration, an international public health organization, reviewed 10 controlled before-after studies of red-light cameras effectiveness. Based on the most rigorous studies, there was an estimated 13-29 percent reduction in all types of injury crashes and a 24 percent reduction in right angle injury crashes.

Do Red Light Camera's Increase the Risk of Rear-end Collisions?

- Some studies have reported that while red light cameras reduce front-into-side collisions and overall injury crashes, they can increase rear-end crashes, however such crashes tend to be much less severe than front-into-side crashes, so the net effect is positive.
- The study sponsored by the Federal Highway Administration evaluated red light camera programs in seven cities and they found that overall, right-angle crashes decreased by 25 percent while rear-end collisions increased by 15 percent.

Proposed Red Light Safety Camera Intersections

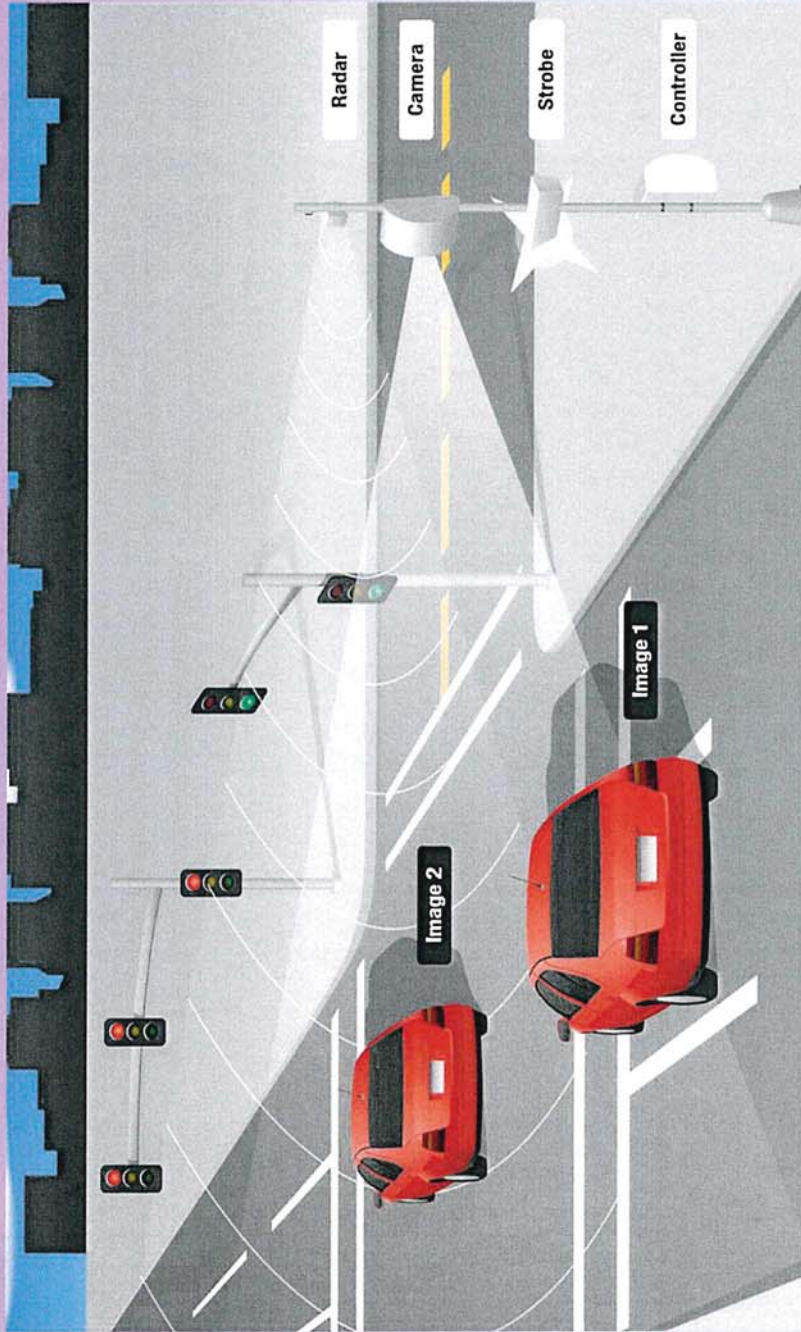
- Boeing Access Road at MLK Jr Way S
(21/2-0/5/13/1)
- S 133 rd Ave S and Interurban Ave S
(22/9-9/6/6/1)
- Southcenter Parkway at Strander Blvd
(34/5-2/15/9/5)
- W. Valley at 180th Ave S
(26/5-3/13/4/4)
- Grady and Interurban Ave S
(24/5-5/9/10)
- Southcenter Blvd at 61st Ave S
(Stats From 1/1/14-12/31/16,
39 with 16 being right angle crashes,
with 8 persons injured; 1 6 sideswipe;
6 rear end crashes; 1 fixed object).



Pilot Project Intersections

- ▶ After analysis of proposed intersections using collision stats and topography narrowed it down to three intersections, two directions each for the Pilot Project:
 - ▶ Boeing Access Rd @ Martin Luther King Jr Wy - SB and EB directions
 - ▶ Southcenter Parkway @ Strander Blvd – NB and WB directions
 - ▶ Grady Wy @ Interurban Ave S – EB and WB directions

How the Safety Cameras Work



Automated Safety Camera System – What they look like:



Budget Information

- ▶ No upfront cost - The equipment is owned and maintained by the contracted company (3 Year contract required).
- ▶ \$500.00 per sign includes installation cost by the city, 6 signs 2 per intersection- Signage is required by the RCW - \$3,000.00
- ▶ \$4,500.00 - \$5,000.00 per camera, per month - \$360,000.00
- ▶ 1 FTE for the court for the pilot project - \$108,845.00
- ▶ Judge pro tem for additional mitigation hearings for citations and interpreters - \$16,000.00
- ▶ Total budget - \$487,845.00

Red Light Cameras Communication Strategies

- ▶ Public Safety Committee
- ▶ Community Orientated Police Citizens Advisory Board
- ▶ Tukwila International Boulevard Action Committee
- ▶ Tukwila Reporter Newspaper
- ▶ Hazelnut Publication
- ▶ City of Tukwila Website linked to Police Department Website

Red Light Camera Implementation Timeline

- ▶ October 18, 2018 Draft proposal & RFP
- ▶ November 18, 2018 Vender selection and site surveys
- ▶ December 18, 2018 Contract review and Council approval
- ▶ January 2019 Red Light Camera Pilot program begins
- ▶ March 2019 Quarterly analysis of the program begins
- ▶ June, September, December of 2019 Quarterly analysis
- ▶ January 2020 Annual Analysis
- ▶ January 2021 Annual Analysis with updates as requested
- ▶ October 2021 Final Public Safety Committee update, full implementation determination

Key Points

- ▶ Cameras will make the city streets safer, by reducing red light running, which, will reduce potentially serious injury right angle collisions.
- ▶ Cameras will educate the public with potential spillover to surrounding non-camera intersections, which, will help with traffic flow.
- ▶ Cameras will assist with internal investigations, law suits, and traffic collisions in the intersections.
- ▶ Cameras will increase safety of police officers and provide more efficient service, with no additional FTE's.*
- ▶ Camera will allow for better tracking of vehicles, collisions, and tickets issued in these intersections.
- ▶ Police, Prosecutor, City Attorney, Public Works, and Court supports this program, and studies show that nationally a high percentage of the public are in favor of RLC.

DRAFT

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, ADOPTING A NEW CHAPTER OF THE TUKWILA MUNICIPAL CODE AUTHORIZING THE USE OF AUTOMATED TRAFFIC SAFETY CAMERAS AND ADOPTING STANDARDS RELATED THERETO, TO BE CODIFIED AS TUKWILA MUNICIPAL CODE CHAPTER 9.22; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, very serious traffic accidents involving right-angle collisions at high rates of speed are often the result of drivers running red lights; and

WHEREAS, studies show that these accidents result in more serious injury and deaths than other accidents at signalized intersections; and

WHEREAS, locating automated traffic safety cameras at signalized intersections has been shown to reduce the frequency of traffic violations at these intersections and has resulted in a corresponding reduction in injuries and associated economic costs; and

WHEREAS, the City has arterial intersections that would benefit from the strategic placement of automated traffic safety cameras; and

WHEREAS, the City of Tukwila desires to improve traffic safety and pedestrian safety throughout the City with emphasis on critical intersections; and

WHEREAS, the Washington State Legislature has adopted Chapter 46.63 RCW, which authorizes local jurisdictions to use automated traffic safety cameras at arterial intersections, subject to some limitations; and

WHEREAS, in accordance with RCW 46.63.170(1)(a), the City has prepared an analysis of the locations where automated traffic safety cameras are proposed to be located;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Chapter 9.22 of the Tukwila Municipal Code Established. A chapter of the Tukwila Municipal Code entitled “Automated Traffic Safety Cameras,” to be codified as Tukwila Municipal Code (TMC) Chapter 9.22, is hereby established to read as follows:

**CHAPTER 9.22
AUTOMATED TRAFFIC SAFETY CAMERAS**

- Sections:
- 9.22.010 Automated traffic safety cameras – Detection of violations – Restrictions
- 9.22.020 Notice of infraction
- 9.22.030 Prima facie presumption
- 9.22.040 Infractions processed
- 9.22.050 Fine
- 9.22.060 Nonexclusive enforcement

Section 2. Regulations Established. TMC Section 9.22.010, “Automated traffic safety cameras – Detection of violations – Restrictions,” is hereby established to read as follows:

9.22.010 Automated traffic safety cameras – Detection of violations – Restrictions

A. City law enforcement officers and persons commissioned by the Tukwila Police Chief are authorized to use automated traffic safety cameras and related automated systems to detect and record the image of stoplight violations at the intersection of two arterials; provided, however, pictures of the vehicle and the vehicle license plate may be taken only while an infraction is occurring, and the picture shall not reveal the face of the driver or of any passengers in the vehicle.

B. Each location where an automated traffic safety camera is used shall be clearly marked by signs placed in locations that clearly indicate to a driver that the driver is entering a zone where traffic laws are enforced by an automated traffic safety camera.

C. “Automated traffic safety camera” means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs or electronic images of the rear of a motor vehicle whenever a vehicle fails to stop when facing a steady red traffic control signal as detected by a speed measuring device.

Section 3. Regulations Established. TMC Section 9.22.020, "Notice of infraction," is hereby established to read as follows:

9.22.020 Notice of infraction

A. Whenever any vehicle is photographed by an automated traffic safety camera, a notice of infraction shall be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter's name and address. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

B. If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction is issued, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the agency by return mail: (1) a statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or (2) a statement under oath that the business is unable to determine who was driving or renting the vehicle when the infraction occurred; or (3) in lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty. Timely mailing of this statement to the agency shall relieve the rental car business of any liability under this chapter for the infraction.

C. The law enforcement officer issuing a notice of infraction shall include with it a certificate or facsimile thereof, based upon the inspection of photographs, microphotographs or electronic images produced by an automated traffic safety camera, citing the infraction and stating the facts supporting the notice of infraction. This certificate or facsimile shall be prima facie evidence of the facts contained in it and shall be admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction.

D. The registered owner of a vehicle is responsible for an infraction detected through the use of an automated traffic safety camera unless the registered owner overcomes the presumption set forth in TMC Section 9.22.030, or, in the case of a rental car business, satisfies the conditions under TMC Section 9.22.020.B. If appropriate under the circumstances, a renter identified under TMC Section 9.22.020.B is responsible for an infraction.

E. All photographs, microphotographs or electronic images prepared under this chapter are for the exclusive use of law enforcement in the discharge of duties under this chapter and, as provided in RCW 46.63.170(1)(g), they are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this chapter. No photograph, microphotograph or electronic image may be used for any purpose other than enforcement of violations under this chapter nor retained longer than necessary to enforce this chapter.

Section 4. Regulations Established. TMC Section 9.22.030, "Prima facie presumption," is hereby established to read as follows:

9.22.030 Prima facie presumption

A. In a traffic infraction case involving an infraction detected through the use of an automated traffic safety camera under this chapter, proof that the particular vehicle described in the notice of traffic infraction was involved in a stoplight violation, together with proof that the person named in the notice of infraction was at the time of the violation the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

B. This presumption may be overcome only if the registered owner, under oath, states in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody or control of some person other than the registered owner.

Section 5. Regulations Established. TMC Section 9.22.040, "Infractions processed," is hereby established to read as follows:

9.22.040 Infractions processed

Infractions detected through the use of automated traffic safety cameras shall be processed in the same manner as parking infractions.

Section 6. Regulations Established. TMC Section 9.22.050, "Fine," is hereby established to read as follows:

9.22.050 Fine

The fine for an infraction detected under authority of this chapter shall be a base monetary penalty of \$136.00; and provided further, that whenever, in the future, the state of Washington increases the fine imposed under this chapter, by legislation or court rule, the City's fine shall be increased to a like amount upon the effective date of such legislation or court rule.

Section 7. Regulations Established. TMC Section 9.22.060, "Nonexclusive enforcement," is hereby established to read as follows:

9.22.060 Nonexclusive enforcement

Nothing in this chapter prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1)(a), (b) or (c).

Section 8. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 9. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 10. Effective Date. This ordinance or a summary thereof shall be published in the official newspaper of the City and shall take effect and be in full force five days after passage and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this _____ day of _____, 2018.

ATTEST/AUTHENTICATED:

Christy O'Flaherty, MMC, City Clerk

Allan Ekberg, Mayor

APPROVED AS TO FORM BY:

Filed with the City Clerk: _____

Passed by the City Council: _____

Published: _____

Effective Date: _____

Ordinance Number: _____

Rachel B. Turpin, City Attorney

RCW 46.63.170

Automated traffic safety cameras—Definition.

(1) The use of automated traffic safety cameras for issuance of notices of infraction is subject to the following requirements:

(a) The appropriate local legislative authority must prepare an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located: (i) Before enacting an ordinance allowing for the initial use of automated traffic safety cameras; and (ii) before adding additional cameras or relocating any existing camera to a new location within the jurisdiction. Automated traffic safety cameras may be used to detect one or more of the following: Stoplight, railroad crossing, or school speed zone violations; or speed violations subject to (c) of this subsection. At a minimum, the local ordinance must contain the restrictions described in this section and provisions for public notice and signage. Cities and counties using automated traffic safety cameras before July 24, 2005, are subject to the restrictions described in this section, but are not required to enact an authorizing ordinance. Beginning one year after June 7, 2012, cities and counties using automated traffic safety cameras must post an annual report of the number of traffic accidents that occurred at each location where an automated traffic safety camera is located as well as the number of notices of infraction issued for each camera and any other relevant information about the automated traffic safety cameras that the city or county deems appropriate on the city's or county's web site.

(b) Except as provided in (c) of this subsection, use of automated traffic safety cameras is restricted to the following locations only: (i) Intersections of two arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera; (ii) railroad crossings; and (iii) school speed zones.

(c) Any city west of the Cascade mountains with a population of more than one hundred ninety-five thousand located in a county with a population of fewer than one million five hundred thousand may operate an automated traffic safety camera to detect speed violations subject to the following limitations:

(i) A city may only operate one such automated traffic safety camera within its respective jurisdiction; and

(ii) The use and location of the automated traffic safety camera must have first been authorized by the Washington state legislature as a pilot project for at least one full year.

(d) Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle. The primary purpose of camera placement is to take pictures of the vehicle and vehicle license plate when an infraction is occurring. Cities and counties shall consider installing cameras in a manner that minimizes the impact of camera flash on drivers.

(e) A notice of infraction must be mailed to the registered owner of the vehicle within fourteen days of the violation, or to the renter of a vehicle within fourteen days of establishing the renter's name and address under subsection (3)(a) of this section. The law enforcement officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

(f) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(d) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (3) of this section. If appropriate under the circumstances, a renter identified under subsection (3)(a) of this section is responsible for an infraction.

(g) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this section are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(h) All locations where an automated traffic safety camera is used must be clearly marked at least thirty days prior to activation of the camera by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW.

(i) If a county or city has established an authorized automated traffic safety camera program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

(2) Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras under this section shall be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(2). The amount of the fine issued for an infraction generated through the use of an automated traffic safety camera shall not exceed the amount of a fine issued for other parking infractions within the jurisdiction. However, the amount of the fine issued for a traffic control signal

violation detected through the use of an automated traffic safety camera shall not exceed the monetary penalty for a violation of RCW 46.61.050 as provided under RCW 46.63.110, including all applicable statutory assessments.

(3) If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction being issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within eighteen days of receiving the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

Timely mailing of this statement to the issuing law enforcement agency relieves a rental car business of any liability under this chapter for the notice of infraction.

(4) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

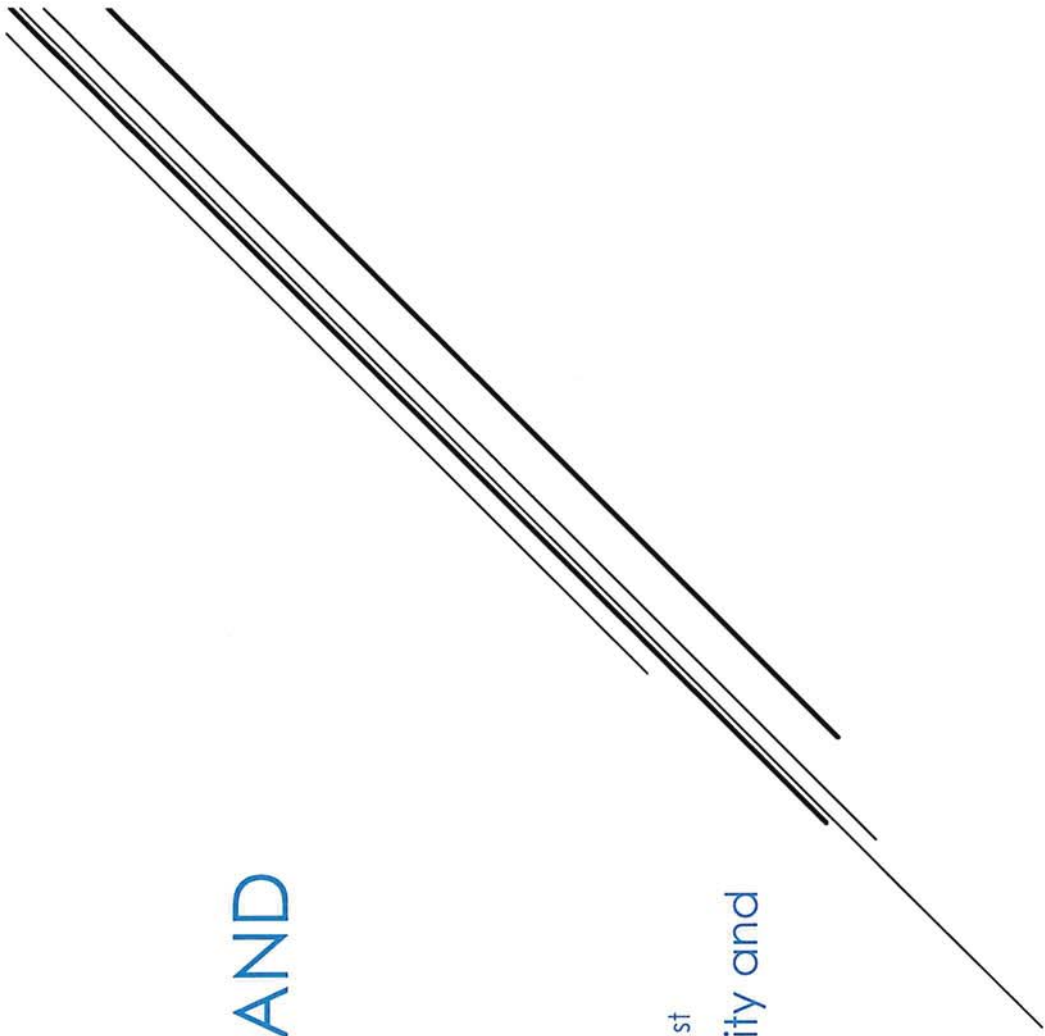
(5) For the purposes of this section, "automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit as detected by a speed measuring device.

(6) During the 2011-2013 and 2013-2015 fiscal biennia, this section does not apply to automated traffic safety cameras for the purposes of section 216(5), chapter 367, Laws of 2011 and section 216(6), chapter 306, Laws of 2013.

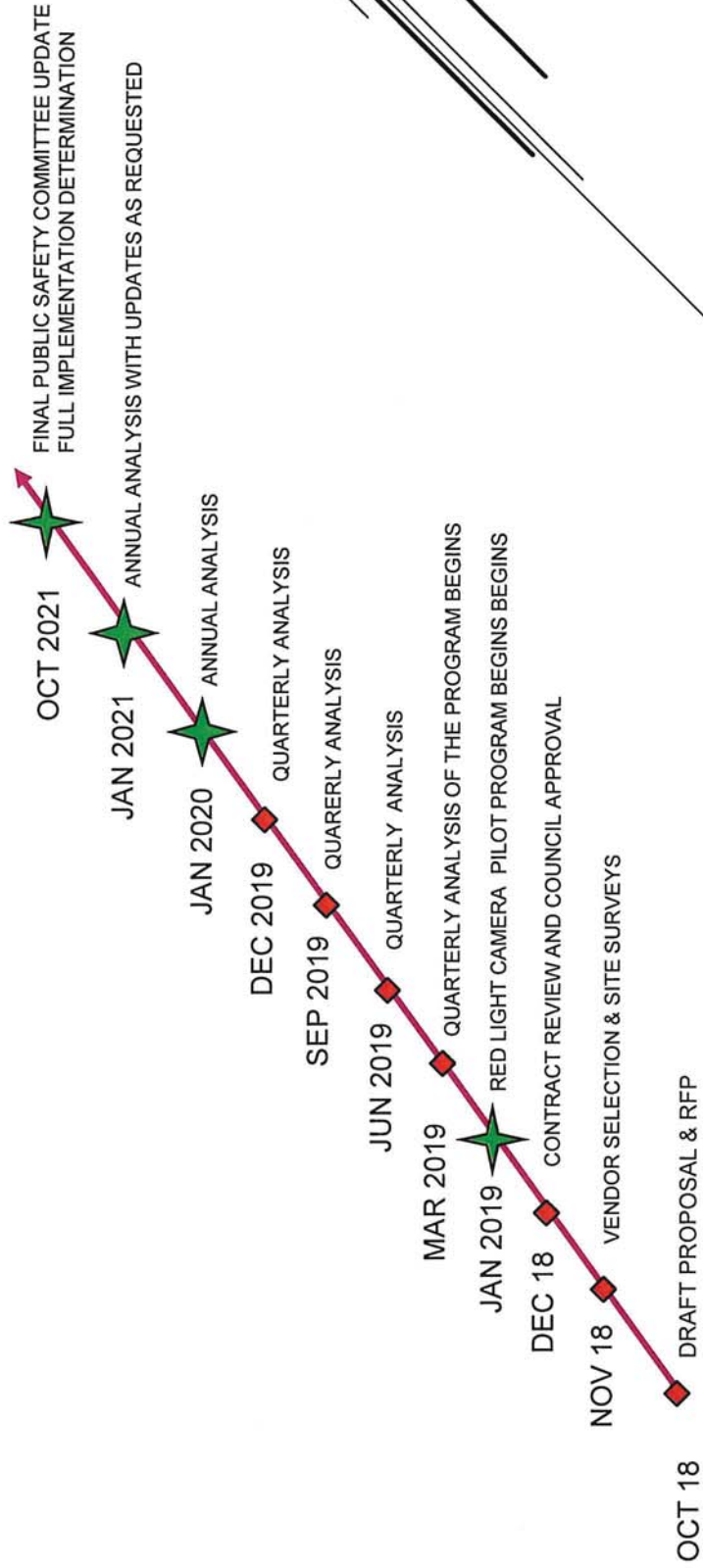
[2015 3rd sp.s. c 44 § 406; 2015 1st sp.s. c 10 § 702; 2013 c 306 § 711. Prior: 2012 c 85 § 3; 2012 c 83 § 7; 2011 c 367 § 704; 2010 c 161 § 1127; 2009 c 470 § 714; 2007 c 372 § 3; 2005 c 167 § 1.]

COMMUNITY POLICING AND AUTOMATED TRAFFIC ENFORCEMENT

Tukwila Police Department Integrating 21st
Century Technology Improving Community and
Officer Safety



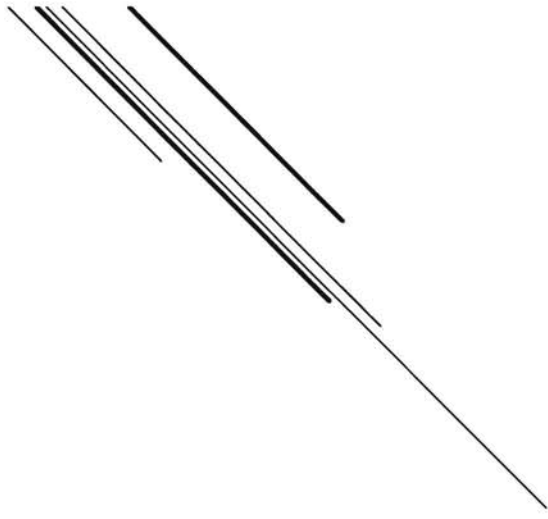
Tukwila Police Red-Light Cameras Implementation Timeline



- ▶ Public Safety Committee
- ▶ Community Oriented Police Citizens Advisory Board
- ▶ Tukwila International Boulevard Action Committee
- ▶ Tukwila Reporter Newspaper
- ▶ Hazelnut Publication
- ▶ City of Tukwila Website linked to Police Department Website

TUKWILA POLICE RED-LIGHT CAMERAS COMMUNICATIONS STRATEGY

QUESTIONS



Automated Safety Camera Enforcement

The Police Department is proposing an Automated Safety Camera Enforcement Pilot Program (commonly known as Red-Light Cameras) and we want our community members to weigh in.

The department is faced with the challenge of ensuring the safety of our arterials and neighborhood roadways while traffic volumes continue to increase. Ongoing patrols by our officers can only accomplish so much, and it is important that we look at other tools that can help increase the safety of our roadways.

Automated enforcement, commonly referred to as “Red-Light Cameras,” provides us an opportunity to reduce serious injury accidents at intersections with a history of high-frequency red light running violations. The Department has reviewed historical data at key intersections to better understand if this technology would improve safety within the city of Tukwila. Indeed, the data clearly shows the need for these in multiple major arterial intersections.

These proposed intersections were chosen based on collision data and potential violations based on officers’ observations and experience:

- Boeing Access at Martin Luther King Jr (Southbound and Eastbound)
- Southcenter Parkway at Strander Blvd (Northbound and Westbound)
- Grady at Interurban Ave South (Eastbound and Westbound)

The Police Department’s goal is to make these proposed locations well known before the cameras are installed in the hopes that everyone will increase their vigilance and drive more carefully, avoiding a ticket and or a terrible accident.

Automated enforcement is currently used in King, Pierce, Snohomish, Spokane, and Chelan counties. Here in King County there are programs in Bellevue, Des Moines, Federal Way, Issaquah, Kent, Lake Forrest Park, Mercer Island, Renton, and Seattle.

Red light running nationally causes hundreds of deaths, tens of thousands of injuries and billions of dollars in property damage. A driver runs a red light about every 20 minutes and this happens more frequently during peak times. Studies show that automated safety cameras have reduced red light running, which in turn reduces the potential serious injury right angle collisions.

The camera systems will also assist with better tracking of intersection statistics such as traffic flows, number of vehicles, peak hours of the days, number of collisions, and tickets issued in these intersections.

As we seek to increase the safety of our roadway by incorporating this technology into our enforcement efforts, the Police Department is interested in hearing from the public on their thoughts on its use within the city of Tukwila.

Thank you for your interest and please share your thoughts at (TrafficSafety@tukwilawa.gov).

Automated Safety Camera
Enforcement

FREQUENTLY ASKED QUESTIONS
AUTOMATED SPEED CAMERA ENFORCEMENT PROGRAM

Q: Are Photo Safety Enforcement Programs effective?

A: Yes. Automated cameras have been proven to be effective in reducing red light running violations and right-angle collisions. Jurisdictions that use this system consistently report safer roads and intersections with fewer collisions.

Q: Why are cameras used?

A: According to the Insurance Institute for Highway Safety, red light running is a leading cause of urban vehicle accidents and often cause injury and death. Jurisdictions install the system to improve public safety by deterring red light running.

Q: Isn't the main purpose of red light cameras to make money?

A: No. The goal of red-light camera enforcement systems is to improve public safety by reducing injuries and deaths caused by accidents. Drivers are advised of camera systems at each intersection that photo enforcement is in use by way of signage.

Q: Are motorists warned when they are approaching a Red-Light Camera Zone?

A: All locations where an automated traffic safety camera is used must be clearly marked at least thirty days prior to activation of the camera by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter [47.36](#) RCW.

Q: Who receives the ticket?

A: Tickets are mailed to the registered owner of the vehicle.

Q: Will "points" be assessed to my driving record?

A: This violation is considered a non-moving violation and no points will be assessed.

Automated Safety Camera
Enforcement

Q. If I am already in the intersection when a light turns red, will I get a violation?

A: No. Violations are only issued when a vehicle enters the intersection AFTER the light has turned red. If you enter the intersection on a green or yellow light you will not be photographed by the camera system.

Q: Is a penalty issued for making a right turn on red?

A: Tickets will also be issued if a driver makes a right turn on red—before failing to come to a complete stop and if pedestrians are crossing the street or at intersections posted "No right turn on red."

Q: Will the red-light camera take a picture of the driver of the vehicle?

A: No. A violation is assessed against the registered owner of the vehicle; it is not a moving violation. Similar to a parking ticket, there is no need to identify the driver and therefore, no need to capture the image of the driver. This violation will NOT affect your driving privileges or insurance rates.

Q. Can I receive citations for other offenses as a result of my red light camera?

A: No. Drivers who receive photo enforcement citations are cited for Red Light Camera Violations only.

Q: How much is the fine?

A: The amount of the fine for a Red-Light Camera Violation is \$139.00

Q. How can I dispute this violation?

A: THERE ARE THREE WAYS TO CONTEST THIS VIOLATION:

(1) Tickets may be contested through the Tukwila Municipal Court. The Police Department and the Court will communicate the specifics as the program is further developed.

(2) If the basis of a claim is that a vehicle/plate was stolen, or a ticket was received by a police officer, an affidavit indicating one of these issues may be completed.

(3) If the basis of the claim is that the registered owner was not driving the vehicle, he or she may complete an affidavit an any supporting documentation and forward to the court.

Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW [46.63.030\(1\)](#) (a), (b), or (c).



PUBLIC SAFETY COMMITTEE

Meeting Minutes

October 15, 2018 – 5:30 p.m. – Hazelnut Conference Room, City Hall

Councilmembers: Dennis Robertson, Acting Chair; Verna Seal, Thomas McLeod

Staff: David Cline, Rachel Turpin, Jay Wittwer, Trish Kinlow, Vicky Carlsen, Jeff Friend, Bruce Linton, Kraig Boyd, Bill Devlin, Laurel Humphrey

CALL TO ORDER: Acting Chair Robertson called the meeting to order at 5:30 p.m.

I. ANNOUNCEMENT

II. BUSINESS AGENDA

A. Ordinance: Red Light Cameras Pilot



Staff is seeking Council approval of an ordinance that would authorize the use of automated traffic safety (“red light”) and adopt standards related thereto. The ordinance was referred back to Committee following Committee of the Whole discussion on August 13. Since then, the Police Department further refined the proposal as a 3-year pilot that would install cameras at three intersections: Boeing Access Road at Martin Luther King Jr, Southcenter Parkway at Strander Boulevard, and Grady at Interurban Avenue South. There will be no upfront cost to the City as the equipment will be installed, owned and maintained by the selected vendor. The estimated total budget of \$487,845 per year is expected to be self-sustaining and includes installation, signage, operation, one Court FTE, and judge pro tem services. Councilmembers discussed the proposal, noting that the focus is on safety rather than revenue. PD will monitor program effectiveness via violation and collision statistics and report to the Council on the same. The Committee expressed support for piloting the program at the three intersections, but requested assurance that there would be a sufficient off-ramp opportunity reflected in the vendor contract and shared with the Council. Staff and the City Attorney agreed to that request. **UNANIMOUS APPROVAL. FORWARD TO OCTOBER 22, 2018 COMMITTEE OF THE WHOLE.**

B. Revised King County Inquest Process

An inquest is an open public forum intended to shed light on the facts around a death at the hands of law enforcement. The King County Executive announced a new inquest process via Executive Order on October 3. 18 King County mayors, including Mayor Ekberg, signed onto a September 12 letter to Executive Constantine asking for more discussions with municipal elected officials before adopting a change. The Council requested a Committee discussion on this issue after receiving a copy of the letter because there was a concern that the letter was stating a policy position without checking in with the Council. Ms. Turpin stated that the letter was not expressing policy but was asking for a seat at the table, and it was acceptable for the Mayor to sign on when he did. Councilmember Robertson said that there is a constantly shifting line between policy and administration. Council President Seal stated that staff are reviewing