CITY OF MILWAUKIE
PHOTO RADAR PROGRAM
REPORT
2009 – 2010

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I. BACKGROUND – REPORT REQUIREMENTS

The Oregon Revised Statute authorizing photo radar in cities was amended in the Legislative session of 2005. This amendment required cities using photo radar to conduct a process and outcome evaluation once each biennium.

II. PHOTO RADAR AND its EFFECT ON TRAFFIC SAFETY

A. BACKGROUND

Photo radar is a method of traffic speed enforcement that is used to detect speeding violations and record identifying information about the vehicle and driver automatically. Violation evidence is processed and reviewed in an office environment and violation notices are delivered to the registered owners of identified vehicles after the alleged violation occurs, rather than at the time of the offense.

The City of Milwaukie received authority from the 74th OREGON LEGISLATIVE ASSEMBLY -- 2007 Regular Session by amendment of House Bill 2466 to implement a photo radar program. The City of Milwaukie's program has been in operation since March 27th, 2008.

B. PHOTO RADAR DEPLOYMENT

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior.

Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic related needs.

Several factors are considered in the development of deployment schedules for traffic unit officers. Information provided by the Department of Motor Vehicles, Oregon Department of Transportation, and City of Milwaukie, are valuable resources for traffic crash occurrences and therefore officer deployment.

Some of the factors for analysis include:
• Location
• Time
• Day
• Violation factors

The Milwaukie Police Department purchased one van for the deployment of photo radar equipment in 2007. The department received the Ford F150 Van from the manufacturer during the month of December 2007.

During the month of December 2007 the City of Milwaukie Public Works Department posted "Traffic Laws Photo Enforced" signs as required by the Oregon Revised Statutes.

During the months of February 2008 and March 2008 the photo radar van was equipped with emergency lights, vehicle decals, and ACS, State and Local Solutions photo radar equipment. The department conducted a road test of the vehicle and equipment on March 25th, 2008.

The goal of the Milwaukie Police Departments deployment of the photo radar van is to reduce traffic crashes and increase drivers, passengers, and pedestrian's safety within the city, by reducing vehicle speeds.

In order to obtain the departments overall goal the photo radar van will be deployed in school zones, highway work zones, residential streets, and other streets which the local jurisdiction has determined have an unusually high number of crashes or speeding complaints.

On March 27th, 2008 the van was deployed on Mcloughlin Blvd. within the City of Milwaukie. During the 3.5 hour period 36 citations were issued and 164 were rejected.

Initially one officer who is certified by our vendor ACS, State and Local Solutions (ACS) was assigned to deploy the photo radar van. The department's initial deployments were dedicated to the Highway 224 Milwaukie Bypass corridor and Mcloughlin Blvd. traffic corridor within the city's jurisdictional boundaries.

From March 2008 to October 2008 the department worked with the Milwaukie Municipal Court to obtain a smooth photo radar citation process. Also during this period the department worked with ACS to modify the initial vehicle set up for optimum use.

During the month of October 2008 six officers from the Milwaukie Police department attended an ACS Field Service Photo Radar Training class and obtain certification status.

Currently the Milwaukie program has seven officers Involved in the deployment of the photo radar van throughout the city. One officer is assigned full time and six officers are paid overtime to deploy the van.

C. **IMPROVEMENTS IN TRAFFIC SAFETY**

The City of Milwaukie's photo radar program has been very successful in helping to reduce traffic crashes within the city boundaries.

Traffic Crashes

2006	**2007**	**2008**
Fatal - 0	Fatal - 1	Fatal - 1
Injury - 42	Injury - 44	Injury - 32
Non Injury - 127	Non Injury - 123	Non Injury - 98
Total - 169	Total - 168	Total - 131

Traffic Crashes

2009	2010
Fatal -1	Fatal - 0
Injury - 28	Injury - 38
Non Injury - 107	Non Injury - 94
Total - 136	Total - 132

The Photo Radar Summary for the period of March 2009 to December of 2010 shows a total of 2,609.12 Enforcement Hours, 853,102 Vehicles Monitored, 23,618 Violations Captured, and 12,641Citations Issued.

III. PHOTO RADAR PROCESS OF ADMINISTRATION

There are many components to the administrative process of photo radar enforcement. The basic steps involved in issuing a photo radar citation are: violation detection, violation processing, quality control checks, citation review and approval by the police officer, and citation mailing.

1. Violation detection occurs when a police officer operating a marked police vehicle visually observes a violation. The police officer also hears an audible signal indicating the violator speed. He maintains an observation log at each deployment and takes notes of each violation.

   At least three photographs are generated for each violation. These include the vehicle in the radar beam approaching the police vehicle, a close up photo of the driver in the violation vehicle, and a close up picture of the violation vehicle license plate. The violation vehicle's speed is displayed on a reader board at the back of the photo radar vehicle.

   The police officer maintains a check list for each deployment to document that they are following all of the

technical procedures for operating the photo radar equipment.

2. Violation processing, quality control checks, citation review, and citation mailing involves taking the undeveloped film from the camera inside the photo radar van to our vendor ACS, after a deployment.

   The vendor develops the film and then looks at the photos. If they can identify the license plate, they send a request to the Oregon Dept of Motor Vehicles (DMV) for the registered owner information. The DMV sends this information back to ACS.

   The pertinent details of the violation (such as location, date, time, speed, etc) are reviewed by the vendor along with the registered owner information. The vendor discards violations where there is no gender match to the registered owner or owners. They also discard any violations where the driver is not identifiable due to factors such as glare, face blocked by a visor, etc.

   Any violations that pass this first screening by the vendor are then sent to the issuing police officer as citations. The issuing police officer reviews them for accuracy and signs them. ACS then mails this citation, along with a photo from the violation, to the registered owner.

   This citation must be mailed to the registered owner within six (6) business days to remain in compliance with Oregon law. The registered owner has thirty (30) days to respond to this citation. They are afforded all of the same rights as a defendant would have with any traffic violation. The citation is processed through the State of Oregon Court system. The presumption in Oregon is that the registered owner is the driver at the time of the violation.

   The registered owner must provide evidence that they were not the driver at the time of the violation. This process is usually done by the registered owner completing a

Certificate of Innocence form and then returning it by mail to the City of Milwaukie municipal court staff. Once the form is received the citation is dismissed by the court.

Dismissed Photo Radar citations are then sent by the court to a photo radar trained Milwaukie Police Officer who then reviews these Certificates of Innocence for accuracy.

Once the Certificates of Innocence are reviewed for accuracy they are then returned to ACS for any further required action.

IV. PUBLIC ACCEPTANCE OF PHOTO RADAR

The Milwaukie Police Department enjoys a strong public acceptance of photo radar as reported through seven different city neighborhood associations. In January 2011, the City of Milwaukie conducted a review of the photo radar program with our Public Safety Advisory Committee. The committee voted unanimously to continue its support of the photo radar program.