

City of Tigard Photo Enforcement Program Evaluation



Legislative Report February 2021

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I. Background

Legislative Report Requirements

Oregon Revised Statute (ORS) 810.434 requires cities using photo enforcement camera equipment to provide a public information campaign to inform local drivers about the use of cameras before citations are issued and to produce a report to the legislature once each biennium. Referencing the full ORS below, subsections **(3)** and **(4)** of the law state the following:

- (1)** Any city may, at its own cost, operate cameras designed to photograph drivers who:
 - (a)** Violate ORS 811.265 (Driver failure to obey traffic control device) by failing to obey a traffic control device; or
 - (b)** Violate the speed limit established in ORS 811.111 (Violating a speed limit) by 11 miles per hour or greater or violate the designated speed posted under ORS 810.180 (Designation of maximum speeds) by 11 miles per hour or greater.
- (2)** Cameras operated under this section may be mounted on street lights or put in other suitable places.
- (3)** A city that chooses to operate a camera shall:
 - (a)** Provide a public information campaign to inform local drivers about the use of cameras before citations are actually issued; and
 - (b)** Once each biennium, conduct a process and outcome evaluation for the purposes of subsection (4) of this section that includes:
 - (A)** The effect of the use of cameras on traffic safety;
 - (B)** The degree of public acceptance of the use of cameras; and
 - (C)** The process of administration of the use of cameras.
- (4)** By March 1 of each odd-numbered year, each city that operates a camera under this section shall present to the Legislative Assembly the process and outcome evaluation conducted by the city under subsection (3) of this section. [1999 c.851 §1; 1999 c.1051 §327; 2001 c.474 §1; subsection (5) of 2001 Edition enacted as 2001 c.474 §3; 2003 c.14 §491; 2003 c.339 §1; 2005 c.686 §1; 2007 c.640 §1; 2011 c.545 §65; 2017 c.288 §3]

History

The City Council of Tigard directed City Staff to begin researching photo enforcement options to improve safety on SW Pacific Highway in Tigard in 2010. Due to City financial considerations at the time, this research was postponed, with the City Council renewing their direction in 2017 to the newly hired police chief. Chief Kathy McAlpine then directed police department staff to move forward with the research and public input on the implementation of such a system (see sections Public Information Campaign and Degree of Public Acceptance for the Use of Cameras).

In 2018, after studies to identify the intersections most impacted by crashes related to red light running and speeding based on Oregon Department of Transportation (ODOT) crash data, the City of Tigard selected three intersections to target for approval of photo enforcement equipment; SW Pacific Highway at SW 72nd Avenue, SW Pacific Highway at SW Hall Boulevard, and SW Pacific Highway at SW Durham Road. Following this step, the City conducted a vendor review and selection process which resulted in a contract with Conduent, a known entity in the photo enforcement camera business. While working with Conduent the City of Tigard made the application to ODOT for a permit to install camera systems to enforce red light running (RL) and intersection speed (IS) on eight approaches (the direction the cameras would be pointed to capture oncoming traffic) at these three intersections. ODOT eventually granted seven approaches at these three intersections, denying approval for IS at SW Pacific Highway and SW Durham Road and right-turn-on-red for RL at two locations. Those locations were at SW Pacific Highway and SW Durham Road and at SW Pacific Highway and SW 72nd Avenue.

Conduent began installation of the photo enforcement camera systems at these three locations in December of 2019. After delays from weather and technical wiring issues the cameras were turned on March 11, 2020 for RL enforcement at the three intersections. IS enforcement was delayed until July to give the public further information on the systems and allow for workload impact on City Staff for the review, approval and adjudication of citations. (See Effect of the Use of Cameras on Traffic Safety: Red Light 2020 for numbers of citations issued)

On July 7, 2020 the IS function was turned on at the two intersections for which it was approved: SW Pacific Highway and SW 72nd Avenue and at SW Pacific Highway and SW Hall Boulevard. (See Effect of the Use of Cameras on Traffic Safety: Intersection Speed 2020 for numbers of citations issued)

II. Public Information Campaign

ORS 810.434 (3)(a)

The City of Tigard began a comprehensive community education and outreach campaign for the planned implementation of photo traffic enforcement after Tigard City Council officially approved the program at the local level in September 2018. The community campaign consisted of several types of communication methods in order to reach a broad base of community members. Over the next two and half years, Tigard Police staff attended over 40 community events and public meetings, met with over 100 business owners and managers along SW Pacific Highway (99W) where the photo enforcement cameras would be placed, created nearly 30 social media posts, emailed various community membership distribution lists (including the Tigard Chamber of Commerce) and advertised the upcoming photo enforcement program for several weeks across a billboard on 99W near the intersection with SW 72nd Avenue, one of three locations selected.

Community events included several in-person and virtual “Chat with the Chief” events (one in Spanish), English and Spanish language announcements delivered to St. Anthony’s Church, flyer distribution and staff discussion of the photo enforcement program at “Let’s Talk Transportation”, the “Emergency Preparedness Fair”, “Coffee with a Cop”, the “Police Department Open House”, several “Movies in the Park” and “Concerts in the Park” as well as the “Tigard Main Street Festival / Latino Fest” among other events. All flyers were printed in English and Spanish.

In the spring of 2019 one of our School Resource Officers recorded an interview about safety and photo enforcement with a Tigard High School student as part of that week’s all-school digital announcements. The video was viewed by all students and staff. We followed up with the Tigard-Tualatin School District again in the fall of 2019 with a photo enforcement announcement posted to the TTSD webpage and an email blast from the district to all parents.

Media coverage included articles and advertisements in the Tigard Times, Advantage Magazine and Tigard Life, both in print and electronic form. Additionally, all Tigard households received a card-stock photo enforcement flyer insert included with the August 2019 Tigard Life newspaper distribution. We participated in several radio interviews (two from Spanish language stations) and the program was the subject of local television coverage to include the following stations: KATU, KOIN, KPTV, KGW. We created digital “banner” displays on a kiosk in the lobby of the Bridgeport Movie Theater as well as the City Hall Lobby and the Police Lobby. Announcements were made on the City of Tigard digital display board on Hall Blvd for a week leading

up to the red light implementation and again for the speed enforcement implementation.

Throughout this time period, we created and continuously updated a dedicated photo enforcement webpage to keep the public informed at https://www.tigard-or.gov/police/photo_traffic_enforcement.php. The webpage is mirrored in Spanish via an “en Español” button at the top.

We maintain an email for the public to contact us about photo enforcement: AksTigardPolice@tigard-or.gov; we reply to comments and questions on a weekly basis. Based on ongoing themes, we update the FAQ section of the webpage as well.

III. Effect of the Use of Cameras on Traffic Safety

ORS 810.434 (3)(b)(A)

a. Reductions in Violations

Red Light 2020

March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
79	193	215	225	255	309	353	356	168	134

Intersection Speed 2020

Jul	Aug	Sep	Oct	Nov	Dec
831	2,987	3,025	1,784	1,189	1,554

b. Reductions in Crashes and Injuries related to Red Light Running and Intersection Speed

The City of Tigard does not currently have access to reliable data after only a ten-month operational period to show an impact on the number of crashes and injuries realized by the implementation of the City’s Photo Enforcement Program. The impact of the Covid-19 pandemic on traffic numbers on the City of Tigard roadways, specifically in the three locations where photo enforcement was installed, seems to be significant. The Photo Enforcement Red Light (RL) portion of the program was launched in March 2020 as the pandemic conditions worsened and the Photo

Enforcement Intersection Speed (IS) went live in July 2020 when the Stay-At-Home orders had already been in effect.

c. Residence of Violators of Tigard Red Light and Intersection Speed Cameras

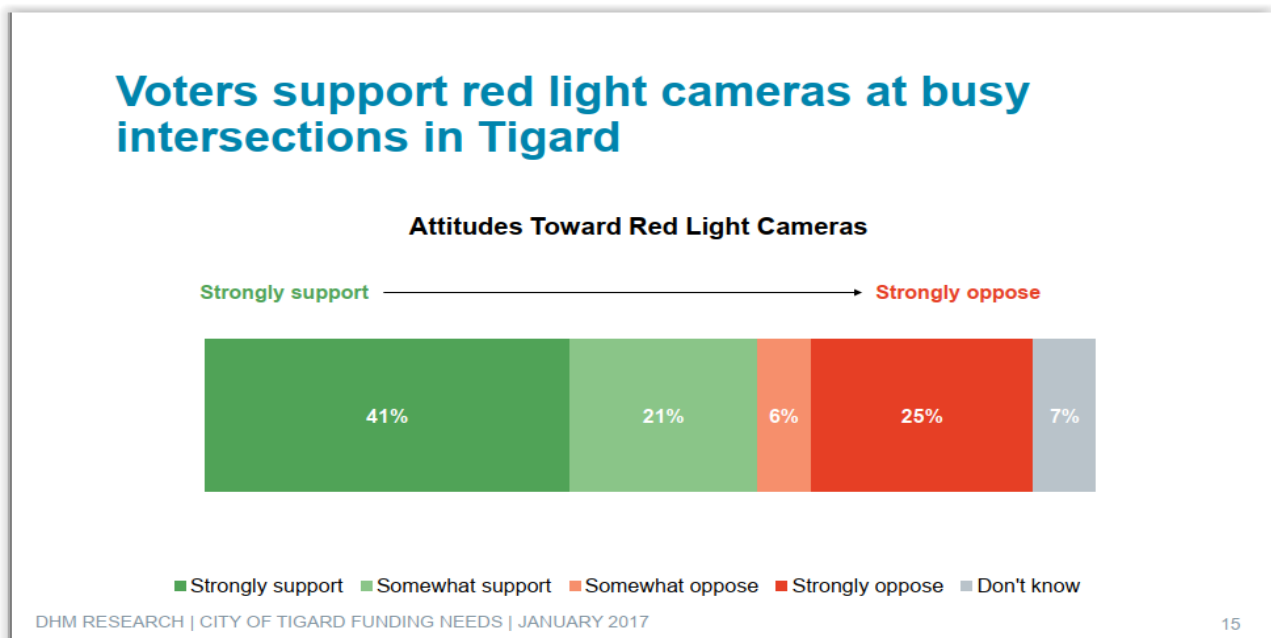
The majority of violators captured on camera by the City of Tigard photo enforcement equipment are not Tigard residents. Since implementation of Red Light (RL) in March of 2021 and Intersection Speed (IS) in July of 2021, the Program Supervisor has tracked the residency, based on Oregon Department of Motor Vehicles (DMV) records, of each driver. This tracking has shown that in those months the program was active in 2020, **85%** of RL citations and **85.2%** of IS citations approved for issuance were sent to non-resident drivers or businesses outside the City of Tigard. One contributing factor to this is the majority of drivers utilizing Southwest Pacific Highway (99W) in Tigard are driving through the City, using this major thoroughfare for commuting or business.

IV. Degree of Public Acceptance of the Use of Cameras

ORS 810.434 (3)(b)(B)

In 2017, a third-party research firm, contracted by the City of Tigard, surveyed a statistically representative sample of Tigard residents and found that 62% of respondents supported red light cameras at busy intersections in the city.

Survey Results



Continued Support During Construction and Implementation Phases

Between fall 2018 and early spring 2020, Tigard Police staff members attended various community meetings, events and performed outreach to businesses located near the intersections where photo enforcement was being installed in Tigard. Most of the community members and businesses contacted were in favor of photo enforcement for red light and speed violations at these intersections. Some requested additional cameras at other intersections along SW Pacific Highway. During outreach with the business community, a few owners and employees highlighted frequent violations they had observed at these intersections.

V. Process of Administration of the Use of Cameras

ORS 810.434 (3)(b)(C)

The administrative process for the use of photo red light cameras has several steps prior to issuing or rejecting a citation in order to comply with Oregon Revised Statutes 810.434 (Photo Red Light) and 810.436 (Citations Based on Photo Red Light). The steps are as follows:

1. The detection of a violation or event at one of three approved intersections.
2. The event is reviewed by the Photo Enforcement Contractor's employees who check the ratified business rules between the City of Tigard and the Contractor to see if the circumstances captured meet the approval criteria.
3. The Contractor forwards all "approved" events to the Tigard Police Department for review by a trained officer.
4. Approval or rejection by the officer. Approvals are returned to the Contractor for issuance of a citation for a speed or red light violation.
5. The Contractor will then send the citation packet to the driver and to the City of Tigard Municipal Court for processing.
6. The City of Tigard Municipal Court then begins the process with the driver for adjudication of the violation.

a. Violation Detection

The City of Tigard uses automated enforcement systems provided, installed by and monitored 24/7 by the contractor Conduent to issue citations for red light and speeding violations. The photo enforcement camera system is connected to the traffic signal and the camera will only trigger a red light event if the light has been red for one tenth of a second AND the driver has not crossed the stop line or crosswalk to

enter the intersection. If the driver continues across the stop line or crosswalk on the red light, then the camera system captures this event and will forward it to Conduent as a potential violation. If a driver crosses the stop line or crosswalk on the green light and the light turns red before they exit the intersection, this will not result in a red light violation.

For an Intersection Speed violation event to be captured, a driver would have to be approaching the Photo Enforcement camera at an equipped intersection at a speed that is at least 13 mph over the posted speed limit. For example, if the speed limit is 35 mph, the camera will only trigger the event if the driver is approaching at 48 mph or higher. The City of Tigard's Police Department Traffic Enforcement Team was consulted in establishing this "triggering" speed two miles per hour above the 11 mph legislative requirement in order to place it in the same category of other electronic measuring devices (Lidar, radar, etc.) which have an established tolerance of +/- 1 mph.

Each alleged violator receives four photographs in the mail. The first photograph shows the rear view of the vehicle before the crosswalk and clearly shows the red light. The second picture is a rear view of the vehicle now in the intersection while the light is red. The third photograph is a close up of the vehicle's license plate. The final photograph shows the close up view of the vehicle's driver. An example of the Notice of Violation with the photographs can be viewed here:

https://www.tigard-or.gov/document_center/Police/RedLight_citation_packet-ENGLISH.pdf

b. Violation Processing

Once a red light or speeding violation has been detected the City of Tigard's contractor/vendor, Conduent begins the process for review of the event to determine if a violation appears to have occurred. A search is conducted in Oregon Department of Motor Vehicles (DMV) records to determine the registered owner of the vehicle. Conduent reviewers also perform a quality control review of each violation and consults or makes themselves familiar with the established business rules agreed upon with the City of Tigard in order to determine whether to forward the event/violation to the Tigard Police Department for review. There are several reasons an event/violation may be rejected.

The following are several common reasons for Conduent's reviewers to reject an event/violation:

1. An emergency vehicle with emergency lights activated

2. A driver's gender does not appear to match the registered owner
3. The driver is not visible or identifiable
4. No or wrong registered owner information
5. License plate is unreadable or obstructed
6. Camera equipment malfunction
7. Unapproved approach violation (*Not all approaches to the intersections are approved for right turn on red. Several of these locations have right turn on read approaches that are not enforced but can be captured by the system. These events are automatically rejected if not an approved approach.*)

A properly trained Tigard Police officer reviews each event/violation forwarded by Conduent and determines whether a violation occurred based on the same standards as the Conduent's reviewers used. If the police officer approves the issuance of a citation, their electronic signature is printed on the citation. Conduent will then mail a citation packet to the violating driver and to the Tigard Municipal Court. The citation packet contains the citation for the appropriate violation (red light or speeding) and advise of their rights along with instructions on how to proceed. The packet also contains four photographs of the violation event, a link to view a 12 second video of the violation event, a Certificate of Innocence form or Certificate of Non-Liability form (to complete if they were not the driver of the vehicle at the time of the violation).The burden is on the registered owner to provide evidence if they were not the driver at the time of the violation, hence the addition of a Certificate of Innocence or Certificate of Non-Liability form.

c. Municipal Court Processing of Photo Enforcement Citations

In preparation for the Photo Enforcement implementation, the City of Tigard's Municipal Court modified and established procedures and remodeled its facility in order to provide better access to the public and streamline the processing of citations. A driver receiving a photo red light citation has the same rights and options as a driver who is handed a citation from an officer in-person, with the inclusion of the Certificate of Innocence/Certificate of Non-Liability options. If the registered owner of the violating vehicle completes the certificate and provides the court with a photocopy of their driver license, the citation will be dismissed.

Over half of the people who've received photo enforcement citations, and contacted the court, have plead no contest and were found guilty. Of the citations adjudicated to date, only 34% resulted in a dismissal due to the completion of a Certificate of Innocence/Certificate of Non-Liability. In response to COVID-19 and the City's

commitment to keep the public and staff safe, court dates have been scheduled further out than customary, causing data to be less predictable.