



Legislative Report
OUTCOME EVALUATION:
Fixed Photo Radar System
City of Portland
2019-2020

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PBOT
PORTLAND BUREAU OF TRANSPORTATION





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Questions?

To request a copy of this report, e-mail fixedspeedsafetycamera@portlandoregon.gov.

For questions (or to share comments) about the City's Fixed Speed Safety Camera Program or this report, please contact the Program Specialist, Traffic Safety Education and Enforcement, Portland Bureau of Transportation at 503-823-1193 or e-mail fixedspeedsafetycamera@portlandoregon.gov.

For technical issues related to the camera operations or a violation notice processed via photo radar in the City of Portland, contact the City's vendor's Photo Enforcement Hotline at 503-221-0415 or 1-800-799-7082.

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Executive Summary

The City of Portland is committed to achieving its Vision Zero goal of eliminating traffic deaths and serious injuries on our streets. A multi-pronged approach is required to advance Portland's Vision Zero goal, and automated enforcement supports this approach.

Portland's automated enforcement system is comprised of eight fixed speed safety cameras, ten red light running cameras and two mobile speed safety vans. The City intends to expand its automated enforcement system starting in 2021. This report focuses on the City's fixed speed safety cameras.

The eight fixed speed safety cameras are located on four of Portland's High Crash Network streets. The first cameras were installed in 2016 and the most recent cameras were installed in 2018. Since the speed safety cameras were installed, speeding over the speed limit has dropped 71% and top-end speeding (more than 10 mph over the speed limit) has dropped 94%.

In a December 2018 survey, Portlanders expressed overwhelming support for the use of fixed speed safety cameras on the High Crash Network, with 75% "strongly supporting" or "somewhat supporting" the cameras. In 2020, the Portland Bureau of Transportation (PBOT) contracted with OPAL Environmental Justice to host two focus groups to get community feedback on the use of fixed speed safety cameras. In 2021, PBOT will conduct an online survey to further understand Portlanders' attitudes toward photo enforcement.

In 2019 and 2020, there were 132,513 photo enforcement cases filed in Multnomah County Circuit Court. Of those, 72,403 (55%) were fixed speed safety cases. 55% of the fixed speed safety camera cases were convicted and 45% of the cases were dismissed.

Fixed speed safety cameras play an important role in reducing speeds on Portland's High Crash Network. Slower speeds help prevent crashes because drivers can react more quickly and, when crashes do occur, reduce the severity of those crashes. Slowing speeds is key to advancing Portland's Vision Zero goal.





Reporting Mandate

Chapter 721, 2015 Oregon Revised Statutes (ORS) specifies the use and reporting requirements of the City of Portland's fixed photo radar system, referred to by the Portland Bureau of Transportation (PBOT) as fixed speed safety cameras. The City shall provide an outcome evaluation once each odd-numbered year to the Legislative Assembly. This report shall include the following sections:

- (a) The effect of the operation of the fixed photo radar system on traffic safety;
- (b) The degree of public acceptance of the operation of the fixed photo radar system; and
- (c) The process of administering the use of the fixed photo radar system.

This report evaluates the impact that the fixed photo radar systems have had on driving speeds, reporting on speeds before and after the systems were in place. It is still premature to evaluate the impact the systems have had on crashes. The crash data, provided by ODOT, was only available through 2018 at the time this report was produced, which does not provide enough information to assess camera impact on crashes. PBOT will evaluate crashes in relation to the fixed speed safety cameras in a future report when there is sufficient data available.



Overview: Portland's Fixed Speed Safety Camera Program

In 2015, HB 2621 granted the City of Portland the authority to implement fixed photo radar (i.e., fixed speed safety cameras). The fixed speed safety cameras must be placed on "urban high crash corridors," as defined by state law¹. Portland City Council approved use of fixed speed safety cameras in May 2016² and the first set of cameras were installed in August 2016.

The Portland Bureau of Transportation (PBOT) coordinated and implemented a Memorandum of Understanding (MOU) among Portland Police Bureau (PPB), PBOT and the Multnomah County Circuit Court (4th Judicial District, Oregon Judicial Department) to promote collaboration regarding the City's automated enforcement programs. The City amended³ PPB's photo radar (i.e., mobile speed van) service agreement to install and operate eight camera systems. Any fixed speed revenue beyond the costs is dedicated to traffic safety on the High Crash Network (HCN) streets.

Four (4) High Crash Corridors: Eight (8) Fixed Speed Safety Cameras

A camera system enforces one direction of travel. There is a total of eight camera systems located on four HCN streets.

- SW Beaverton-Hillsdale Highway
- SE 122nd Avenue
- SE Division Street
- NE Marine Drive

The first fixed speed safety cameras were installed in 2016 on SW Beaverton-Hillsdale Highway, followed by 2017 installations on SE 122nd Avenue and SE Division Street and 2018 installations on NE Marine Drive. When new cameras are put in place, the City gives a one-month warning period to alert drivers of the camera and encourage drivers to slow down. When a speed limit is reduced where there is an existing fixed speed safety camera, the City typically gives a two-week warning period to alert drivers of the speed limit change.

¹ ORS Chapter 721

² City Ordinance 187727

³ Ibid.



WARNING BEGIN DATE	CITATION BEGIN DATE	SPEED LIMIT	FIXED SPEED SAFETY CAMERA LOCATIONS
August 25, 2016	September 24, 2016	40 MPH	SW Beaverton-Hillsdale Highway , eastbound & westbound (between SW 35 th Ave and SW 39 th Dr) New cameras installed
March 6, 2017	April 5, 2017	35 MPH	SE 122 Avenue , northbound & southbound (between SE Foster Rd and SE Holgate Blvd) New cameras installed
March 6, 2017	April 5, 2017	30 MPH	SE Division Street , eastbound & westbound (between SE 148 th and 162 nd avenues) New cameras installed
February 20, 2018	March 22, 2018	40 MPH eastbound 45 MPH westbound	NE Marine Drive , eastbound & westbound (eastbound is west of NE 33 rd Dr; westbound is between NE 122 nd and NE 138 th avenues) New cameras installed
September 25, 2018	October 10, 2018	35 MPH	NE Marine Drive , eastbound (west of NE 33 rd Dr) Speed limit reduction: 40 mph to 35 mph
May 30, 2019	June 13, 2019	40 MPH	NE Marine Drive , westbound (between NE 122 nd and NE 138 th avenues) Speed limit reduction: 45 mph to 40 mph
September 29, 2020	October 14, 2020	35 MPH	SW Beaverton-Hillsdale Highway , eastbound & westbound (between SW 35 th Ave and SW 39 th Dr) Speed limit reduction: 40 mph to 35 mph

Table 1. City of Portland's fixed speed safety camera dates of operation, enforced speed limit and locations.



Traffic safety

No person should die in the everyday act of moving about. But each year dozens of Portlanders lose their lives doing just that. The City of Portland is committed to saving lives and reducing injuries to all people using its transportation system.

Portland has adopted actions to support four Vision Zero strategies:

- Reduce speeds citywide
- Protect pedestrians
- Design streets to protect human lives
- Create a culture of shared responsibility

Slower speeds reduce the number and severity of crashes. Slower-moving drivers can stop more quickly to avoid a crash – and when a collision does occur, lower speeds reduce the chance of injury or death.

Portland has adopted a multi-disciplinary approach to lowering speeds, including:

- Set safe speed limits
- Redesign dangerous streets to encourage safe speeds
- Educate Portlanders about the impact of speed
- Enforce the speed limit

The City's fixed speed safety camera program⁴ is key to enforcing the speed limits on High Crash Network (HCN) streets⁵ in Portland.

Decreasing the number of vehicles speeding

Speed studies were conducted along the street segments enforced by the fixed speed camera systems. The "before" speed study captures driving speeds before installation of the fixed speed systems. The "after" speed study captures driving speeds after the fixed speed systems are issuing citations.

The number of drivers speeding decreased significantly at every location where a speed safety camera system was installed. The reduction in speeding has remained low over time.

⁴ Information about the City's Fixed Speed Safety Cameras is located on PBOT's website at <https://www.portland.gov/transportation/vision-zero/speed-cameras>

⁵ To learn more about the thirty intersections and thirty streets that comprise the High Crash Network, visit <https://www.portland.gov/transportation/vision-zero/high-crash-network>



DECREASE IN SPEEDING AVERAGED ACROSS ALL LOCATIONS WITH FIXED SPEED SAFETY CAMERAS		
	Decrease in Speeding (1 mph or more over the speed limit)	Decrease in Top End Speeding (11 mph or more over the speed limit)
Initial speed study after camera installation	61%	87%
2020* speed study after cameras have been in place two to four years	71%	94%

Table 2. Speeding and top-end speeding (11 mph or more over the speed limit) significantly decreased after initial installation of fixed speed safety cameras. Those decreases in speeding have increased over time.

*SE 122nd Avenue northbound data is from 2019 due to unavailability of 2019 data.

Table 2 (above) shows the average decrease in speeding across all fixed speed safety camera locations. The table shows that soon after camera systems were installed, speeding even one mile per hour over the speed limit dropped significantly and top end speeding at more than ten miles per hour over the speed limit dropped precipitously. With the 2020 speed studies, we see that the decrease in speeding has been sustained and increased over time.

Table 3 (below) shows corridor-level speed data that makes up the overall findings in Table 2.

SW BEAVERTON-HILLSDALE HIGHWAY (Westbound)						
Speed Study Before or After Camera Installation	Speed Study Date	Average Daily Trips (Volume)	Percent Over Speed Limit	Percent 10 Over Speed Limit	Speed 85th percentile (MPH)	Speed Limit (MPH)
BEFORE	Jul-16	11903	61.1	3.3	46	40
AFTER	Nov-16	11704	26.1	0.4	42	40
	Aug-17	10899	21.3	0.3	41	
	Aug-18	11005	28.3	0.5	42	
	Jul-19	11084	11.2	0.1	40	
	Sep-20	7542	11.7	0.1	40	

SW BEAVERTON-HILLSDALE HIGHWAY (Eastbound)						
Speed Study Before or After Camera Installation	Speed Study Date	Average Daily Trips (Volume)	Percent Over Speed Limit	Percent 10 Over Speed Limit	Speed 85th percentile (MPH)	Speed Limit (MPH)
BEFORE	Jul-16	13301	77.1	7.7	48	40
AFTER	Nov-16	12611	30.1	0.5	42	40



	Aug-17	12621	24.8	0.6	42	
	Aug-18	11369	34.2	0.7	42	
	Jul-19	12028	40.5	0.6	43	
	Sep-20	8137	22.6	0.3	42	

SE 122 ND AVENUE (Southbound)						
Speed Study Before or After Camera Installation	Speed Study Date	Average Daily Trips (Volume)	Percent Over Speed Limit	Percent 10 Over Speed Limit	Speed 85 th percentile (MPH)	Speed Limit (MPH)
BEFORE	Jan-17	7215	55.6	3.9	41	35
AFTER	Mar-17	7434	17.6	0.3	36	35
	Apr-18	6560	20.2	0.3	36	
	Apr-19	6634	23.6	0.3	36	
	Sep-20	7156	13.2	0.2	35	

SE 122 ND AVENUE (Northbound)						
Speed Study Before or After Camera Installation	Speed Study Date	Average Daily Trips (Volume)	Percent Over Speed Limit	Percent 10 Over Speed Limit	Speed 85 th percentile (MPH)	Speed Limit (MPH)
BEFORE	Jan-17	5642	59.8	5.0	42	35
AFTER	Mar-17	5650	18.7	0.4	36	35
	Apr-18	5391	18.9	0.2	36	
	Apr-19	5434	15.4	0.1	35	
	Sep-20	<i>Data not available</i>				

SE DIVISION ST (Westbound)						
Speed Study Before or After Camera Installation	Speed Study Date	Average Daily Trips (Volume)	Percent Over Speed Limit	Percent 10 Over Speed Limit	Speed 85 th percentile (MPH)	Speed Limit (MPH)
BEFORE	Jan-17	15602	63.1	4.1	41	35
AFTER	Mar-17	13572	31.3	1	32	30
	Apr-18	11853	30.5	0.8	32	
	Apr-19	11462	20.7	0.4	31	
	Sep-20	8096	25.7	0.7	32	

SE DIVISION ST (Eastbound)						
Speed Study Before or After Camera Installation	Speed Study Date	Average Daily Trips (Volume)	Percent Over Speed Limit	Percent 10 Over Speed Limit	Speed 85 th percentile (MPH)	Speed Limit (MPH)
BEFORE	Jan-17	14396	66.1	5.2	42	35



AFTER	Mar-17	12750	46.9	2.1	34	30
	Apr-18	11367	50.2	2.3	35	
	Apr-19	11424	37.9	0.9	33	
	Sep-20	8317	23.1	0.6	32	

NE MARINE DR (Westbound)						
Speed Study Before or After Camera Installation	Speed Study Date	Average Daily Trips (Volume)	Percent Over Speed Limit	Percent 10 Over Speed Limit	Speed 85th percentile (MPH)	Speed Limit (MPH)
BEFORE	Mar-14	6384	75.9	7.6	53	45
AFTER	Mar-18	8391	18.9	0.6	46	45
	Dec-18	8653	30.8	1.6	48	
	Sep-20	5580	20.9	0.3	41	40

NE MARINE DR (Eastbound)						
Speed Study Before or After Camera Installation	Speed Study Date	Average Daily Trips (Volume)	Percent Over Speed Limit	Percent 10 Over Speed Limit	Speed 85th percentile (MPH)	Speed Limit (MPH)
BEFORE	Apr-17	7426	84.4	13.4	50	40
AFTER	Mar-18	7294	24.4	0.4	42	40
	Oct-18	6945	41.5	1.5	39	
	Sep-20	5471	25.8	0.6	37	35

Table 3. Detailed counts of speeds at each camera location "BEFORE" and "AFTER" fixed speed safety cameras were installed.

Tables show the date (month and year) that the speed data was collected, the average daily trips (volume) of cars at each location, percent of vehicles traveling over the speed limit, percent of vehicles traveling more than 10 mph over the speed limit, the 85th percentile speed of vehicles and the speed limit in place at the time of each speed study.

Table 3 (above) shows a sustained decrease over time in speeding on each corridor, and in each direction, once the fixed speed safety cameras were installed. Additionally, on corridors where the speed limit was reduced, the 85th percentile⁶ driving speed also decreased. Figures (1) and (2) (below) are a graphical representation of these tables.

⁶ Manual on Uniform Traffic Control Devices (MUTCD, 2009) defines the 85th percentile as "the speed at or below which 85 percent of the motor vehicles travel."

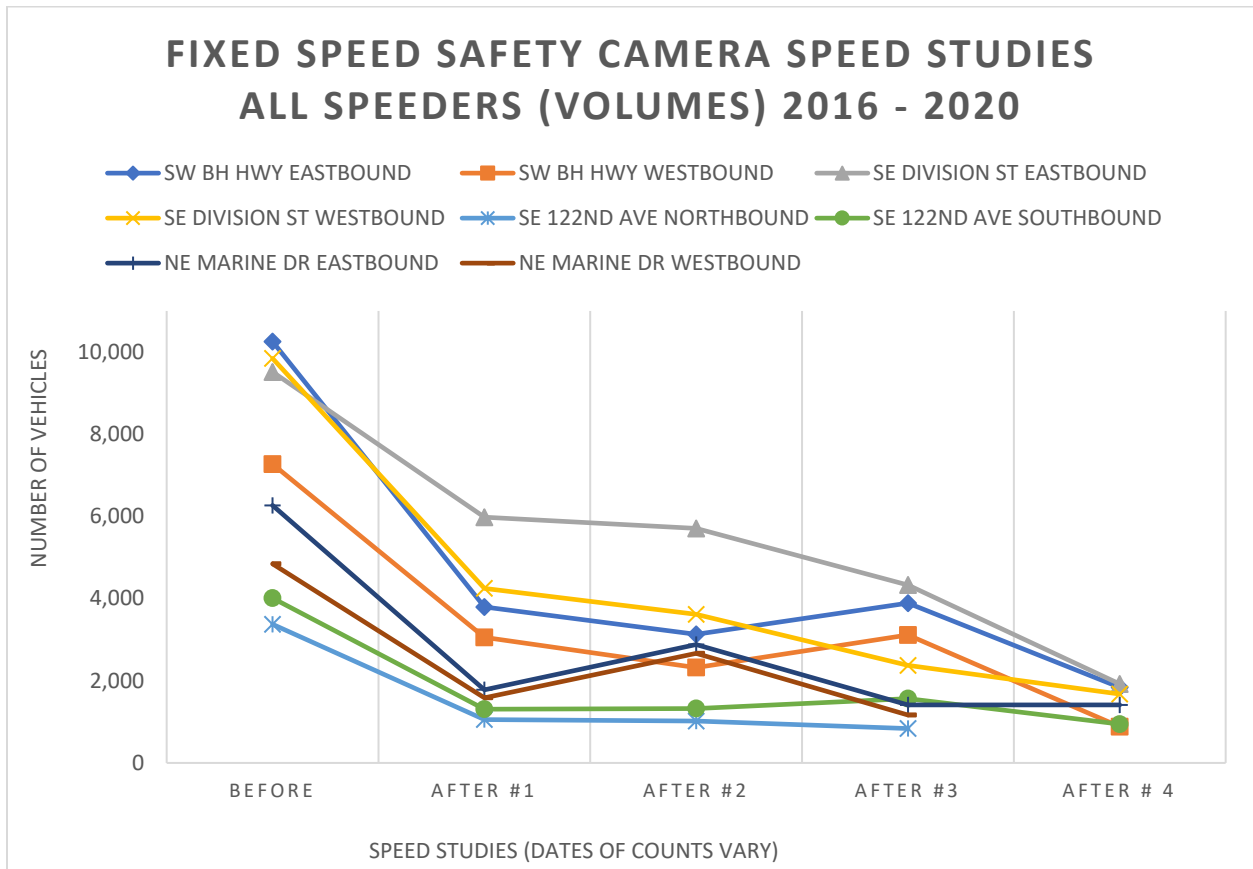


Figure 1. Reduction in volumes of speeders.

When comparing subsequent speed studies with the initial “before” speed count, all locations demonstrate a significant and sustained reduction in the number of drivers speeding 1 mph or more above the speed limit.

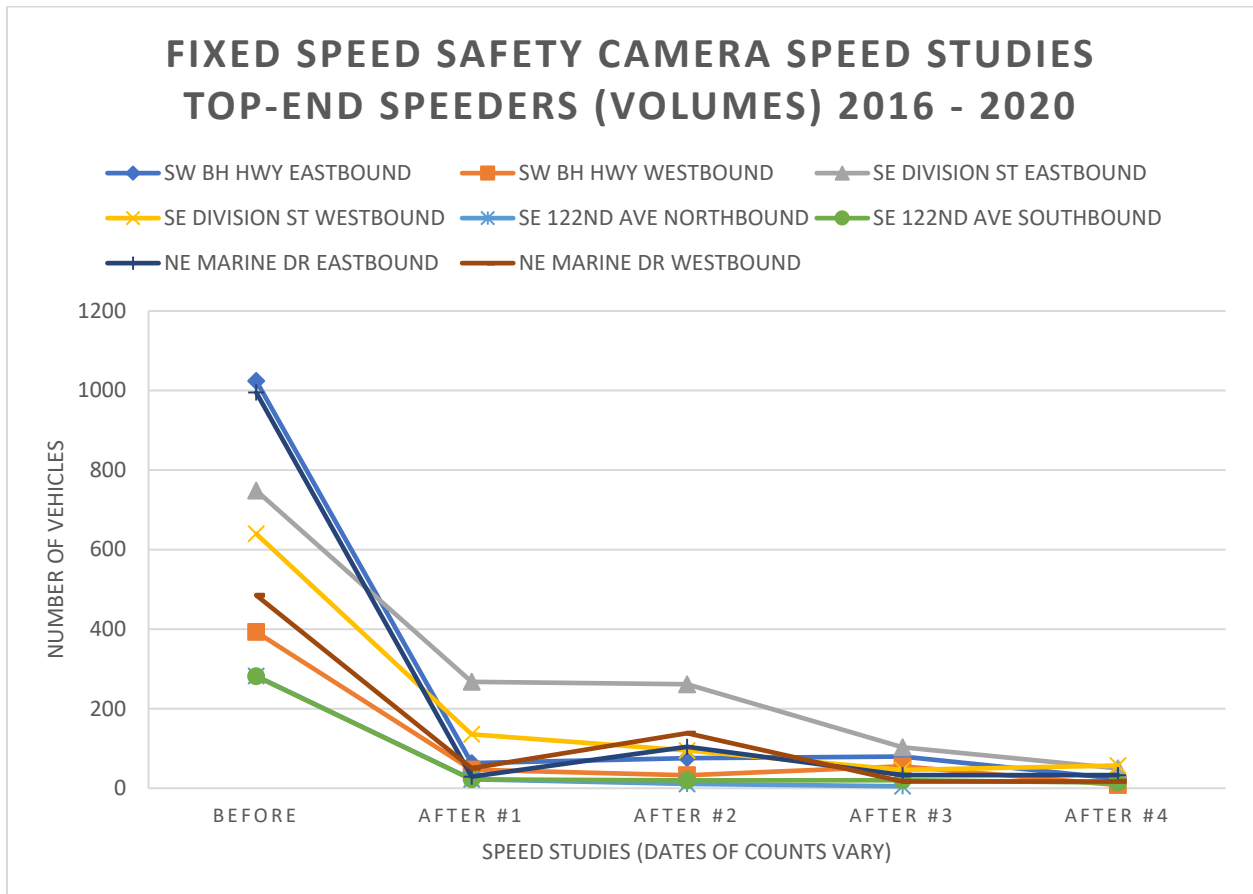


Figure 2. Reduction in volumes of top-end speeders (11 mph or more above the speed limit). When comparing subsequent speed studies with the initial “before” speed count, all locations demonstrate a significant and sustained reduction in the number of drivers speeding 11 mph or more above the speed limit.

PBOT will consider a future study to identify the range of benefit – the distance from the cameras that benefits from the slower speeds achieved by camera installation.

There are two 2020 data points of note. First, the Average Daily Trips (Volume) for most of the corridors in 2020 are significantly lower than in 2019. The drop in ADT is largely due to travel impacts from Covid-19. With fewer cars on Portland streets, it is significant that driving speeds near the fixed speed safety cameras have remained at pre-Covid speeds and not increased.

Second, the methodology for speed data collection in 2020 is different from speed data collection in years prior. Prior to 2020, PBOT laid rubber tubes across the street near each of the fixed speed safety cameras; the tubes collected speed and volume data. Starting in 2020, for the purpose of collecting speed and volume data at or near camera locations,



PBOT is getting that data from the cameras themselves. This transition will maximize PBOT resources and ensure consistent speed collection methodology as additional cameras are installed in Portland.

Public acceptance

Telephone survey

In December 2018, PBOT contracted with DHM Research to conduct a telephone survey to measure the acceptance of photo enforcement of speeding. Four hundred Portlanders participated in the 12-minute telephone survey. The details of that survey were shared in the “Legislative Report Outcome Evaluation: Fixed Photo Radar System, City of Portland, 2017-2019”⁷ and can also be found in the survey final report.⁸

Key findings from the survey:

- Two-thirds of participants are familiar with automated enforcement. A majority are aware of fixed speed enforcement. However, Portlanders are far more familiar with the City programs that started during the late 90s: red-light running cameras and mobile speed vans.
- Three-quarters of Portlanders support using fixed speed safety cameras on streets with high crash rates. Of those, people of all income levels support the use of fixed speed safety cameras. Support, however, is lowest among residents with the highest incomes.
- Those who support the use of fixed speed safety cameras believe they are reliable, unbiased, and help reduce speeding and crashes.

Portlanders surveyed think that speed laws are either adequately enforced or should be enforced more. Although they are less certain about whether PBOT should use fixed speed safety cameras more (or less), an overwhelming number support the use of fixed speed safety cameras on streets with high crash rates.

In 2021, PBOT will conduct an online survey to further understand Portlanders’ attitudes toward photo enforcement.

⁷ https://www.oregonlegislature.gov/citizen_engagement/Reports/2019-PBOT-Fixed%20Photo%20Radar%20System.pdf

⁸ The final report, *PBOT Speeding Reduction Survey* (DHM Research, December 2018) and supporting survey documents and data are available by request.



Focus groups

In November 2020, PBOT partnered with OPAL Environmental Justice to host two small focus groups exploring perceptions around the use of automated enforcement cameras in Portland. The focus groups had a small sample size that is not representative of Portland's population. However, these focus groups provided qualitative information from community members. PBOT will work with community-based organizations to conduct additional focus groups in 2021-2022 to gauge community attitudes about its automated enforcement program and highlight the experiences of Black, Indigenous and People of Color.

A majority of the focus group participants expressed support for PBOT's use of automated traffic enforcement cameras, despite having some reservations about transparency and privacy. Participants provided several recommendations for PBOT's automated enforcement program, including:

- Multilingual information explaining how automated enforcement cameras improve street safety
- News releases and educational campaigns that explain how the cameras work
- Transparency about revenue collected from cameras
- Transparency about potential privacy concerns originating from the cameras
- Additional speed limit signage around the city
- Additional public outreach about camera locations

Public outreach events

PBOT safety staff also hosted and attended dozens of events throughout 2019 and 2020 to support Vision Zero traffic safety messaging. Examples of Vision Zero outreach events include:

- Lloyd District speed reader board outdoor event with GoLloyd (June 12, 2019)
- Reflective gear distribution at SE 82nd Ave and SE Division St (November 20, 2019)
- Fix-It Fair event at Ockley Green Middle School (January 25, 2020)
- Collaboration with Guerreras Latinas for pedestrian and driver safety education (September 30, 2020)

PBOT and PPB staff shared information about the City's automated enforcement programs at the following meetings:

- Portland City Council Meeting (June 13, 2019)⁹

⁹ <https://efiles.portlandoregon.gov/Record/13065510/>



- Vision Zero Task Force Meeting (October 22, 2019)

NE Marine Drive news releases

PBOT's public information officer (PIO) published press releases and shared posts on social media. Media or social articles released by PBOT's PIO includes:

- News Release: *PBOT to reduce speed limit on NE Marine Drive high crash corridor, between NE 33rd Drive and the city limits at NE 185th Drive* (May 29, 2019)¹⁰
- Twitter post: ICYMI PBOT crews reduced the speed limit from 45 to 40 mph on an 8.5 mile stretch of Marine Drive this morning.¹¹
- News Release: *Long-awaited traffic signal coming soon to NE 122nd Avenue and Marine Drive*¹²

SW Beaverton Hillsdale Highway news releases

- Nextdoor post: Updated speed limit on SW Beaverton-Hillsdale Highway (*October 16, 2020*)¹³
- Twitter post: PBOT recently updated the speed limit on SW Beaverton-Hillsdale Highway. The new speed limit is 35 mph from 25th to 65th avenues.¹⁴

Administration Process

PBOT works closely with the Portland Police Bureau (PPB) and Multnomah County Circuit Court ("Court"), to administer the fixed photo radar system. The vendor, City bureaus and Court play important roles striving to ensure quality assurance, objectivity, and timely processing.

This final section provides an overview of the administrative framework, violation processing, and program costs.

¹⁰ <https://www.portlandoregon.gov/transportation/article/733291>

¹¹ <https://twitter.com/PBOTinfo/status/1134224530371596289>

¹² <https://content.govdelivery.com/accounts/ORPORTLAND/bulletins/250aba9>

¹³ <https://nextdoor.com/city/post/164716248/>

¹⁴ <https://twitter.com/pbotinfo/status/1317165526863343618>



Traffic safety class option for photo radar violations

The Portland Police Bureau began to offer a traffic safety class option in September 2016 for red light running photo enforcement violations and photo radar speeding violations. The class option¹⁵ expanded and incorporated fixed speed safety camera speeding violations starting July 2018. The traffic safety class option for photo enforcement violators is available to those who do not have a prior red light running or speeding violation and have not previously attended the photo enforcement traffic safety class. The per person class registration fee varies depending on the type of moving violation but is typically less than the presumptive fine.¹⁶

In March 2020, traffic safety classes were temporarily suspended due to the COVID-19 pandemic. Classes resumed in a virtual format in June 2020. Those who received citations March-June 2020 were given 90 additional days from the original court date to take the class.

Violation processing

The administrative process of fixed photo radar enforcement includes citation processing and issuance, delivery, payment, and adjudication. The vendor, Conduent, captures and processes the violations through a multi-step process that can take several days. After retrieving the digital data of each business day, the vendor ensures that the image and correlating data meet quality control standards and criteria. After screening, a request is sent to the Law Enforcement Telecommunication System and the Oregon Department of Motor Vehicles if a license plate can be identified (front and/or rear license plate). In return, the vendor receives the registered owner and vehicle information.

Review criteria includes, but is not necessarily limited to, gender match, clarity of plate, glare on windshield, car obstruction, vehicle match failure or obstruction of either vehicle or driver. Evidence of violations that do not withstand this test do not result in citation issuance. Upon approval by law enforcement, the violation is printed and mailed.

¹⁵ If an eligible driver chooses instead to enroll in the traffic safety class, successful completion of the class must be done within a required timeline (typically requiring attendance within 45 days of the violation date) to allow for the driver's citation number to be submitted back to the Court and dismissed. Thus, if the eligible driver completes the class in a timely manner, the conviction is waived (including the violation's presumptive fine).

¹⁶ The typical fine for speeding is \$170. Speeding 11-20 mph over the speed limit is a "Class C" violation. A "Class C" violation has a presumptive fine of \$165 plus a surcharge of \$5.00; a minimum fine of \$85 (plus \$5.00 surcharge); and a maximum fine (individuals) of \$500 (plus a \$5.00 surcharge). Schedule of fines on violations can be found at <http://www.courts.oregon.gov/Pages/fees.aspx>.



Violation warning periods are put in place to alert drivers when a new fixed speed safety camera is put in place or when a speed limit is reduced at a camera location. Table 4 shows the number of warnings mailed during the two-week warning periods after which speed limits were reduced. In 2019, the speed limit on NE Marine Drive near the westbound camera decreased from 45 mph to 40 mph. In 2020, the speed limit on SW Beaverton-Hillsdale Highway decreased from 40 mph to 35 mph.

WARNING LETTERS MAILED FIXED SPEED SAFETY CAMERA			
2019			
May 30 - June 12	NE Marine Drive	Westbound	296
		Total warnings	296
2020			
September 29 - October 13	SW Beaverton Hillsdale Highway	Eastbound	817
		Westbound	284
		Total warnings	1101

Table 4. Warning letters mailed (2019-2020) (Data source: Conduent)

Table 5 shows the number of violations mailed in 2019 and 2020 as speeding citations per month and per year. Violations mailed includes both warnings and citations. Each street location represents two camera platforms or traffic approaches combined.

Fixed Speed Mailed Violations (By Year)

2019	Marine	122nd	Division	BH Hwy	Total
January 1 - 31	178	146	1384	607	2315
February 1 - 28	532	101	921	496	2050
March 1 - 31	1210	182	1587	753	3732
April 1 - 30	933	239	1382	690	3244
May 1 - 31	1054	185	1581	694	3514
June 1 - 30	1171	211	1773	776	3931
July 1 - 31	1387	220	1809	869	4285
August 1 - 31	1662	269	2125	816	4872
September 1 - 30	1167	167	1433	615	3382
October 1 - 31	988	185	1258	573	3004
November 1 - 30	1109	155	1099	544	2907
December 1 - 31	917	166	993	509	2585
2019 Total					31325



2020	Marine	122nd	Division	BH Hwy	Total
January 1 - 31	765	143	905	437	2250
February 1 - 29	1010	153	936	499	2598
March 1 - 31	868	149	1063	544	2624
April 1 - 30	834	169	1439	423	2865
May 1 - 31	807	185	1545	348	2885
June 1 - 30	930	189	1525	487	3131
July 1 - 31	1164	290	1569	507	3530
August 1 - 31	600	320	1659	590	3169
September 1 - 30	425	343	1841	580	3189
October 1 - 31	590	104	1408	2187	4289
November 1 - 30	690	112	1346	1885	4033
December 1 - 31	609	163	1517	1142	3939
2020 Total					38502

Table 5. Fixed speed safety camera speeding violations mailed (2019-2020). (Data source: Conduent) Weather conditions, equipment repair, and road construction projects may reduce the number of speeding events captured by photo radar. Speeding violations are reviewed to meet quality control standards and criteria. After law enforcement review and approval, violations are mailed.

The registered owner has 60 days to respond to a photo radar citation and is afforded the same rights as any defendant with a traffic violation. (Note: Those who received citations in March-June 2020 received an additional 90 days due to the COVID-19 pandemic.) The citation is processed by the Multnomah County Circuit Court which is part of the Oregon court system. As such, the registered owner who has received a citation has several options to dispose the citation:

1. Payment
 - a. By mail
 - b. Over the counter
 - c. Online
2. Request for trial, and subsequent dismissal
3. Request for trial, and subsequent conviction
4. Violation Bureau Reduction over the counter (administrative reductions administered by the Clerk)
5. Certificate of Innocence (COI) (private party)
6. Affidavit of Non-Liability (AFNL) (government, business)

If the registered owner was not driving the vehicle when the violation occurred, the owner may file a Certificate of Innocence (COI), or a government agency or business may file an



Affidavit of Non-Liability (AFNL), with the Court. Upon receipt of a properly completed COI, the Court dismisses the citation, but a Portland police officer subsequently reviews the COI for accuracy. The AFNL are also dismissed by the Court. However, the speeding violation associated with the AFNL is subsequently issued to the driver identified in the affidavit.

When law enforcement receives the COI and receives a certificate refuting fault, PPB looks at the violation photo and compares it to the Oregon Department of Motor Vehicles driver license photo of the registered owner. The officer's decision is based on comparing photos. If it appears the driver in the violation is one of the registered owners, PPB will reissue the citation. When there is doubt pertaining to whether a driver is the registered owner, or issues of clarity persist, the reviewing officer will dismiss the ticket.

The following section, Fixed Speed Filings and Dispositions, discloses how the fixed speed cases were disposed in Court – how they were paid or, if dismissed, for what reason.

Fixed Speed Filings and Dispositions

Cases filed

In 2019, there were a total of 78,759 photo enforcement cases filed in Multnomah County Circuit Court. Of those, fixed speed cases comprised 43,513 (or 55%), photo radar (i.e., mobile speed van) comprised 26,852 (or 34%) and photo red light comprised 8,394 (or 11%) of cases filed in 2019.

In 2020, there were a total of 53,754 photo enforcement cases filed in Multnomah County Circuit Court. Of those, fixed speed comprised 28,890 (or 54%), photo radar (i.e., mobile speed van) comprised 19,403 (or 36%) and photo red light comprised 5,461 (or 10%) of cases filed in 2020.

Figure 3 illustrates the breakdown of the photo enforcement cases filed in 2019 and 2020 combined.

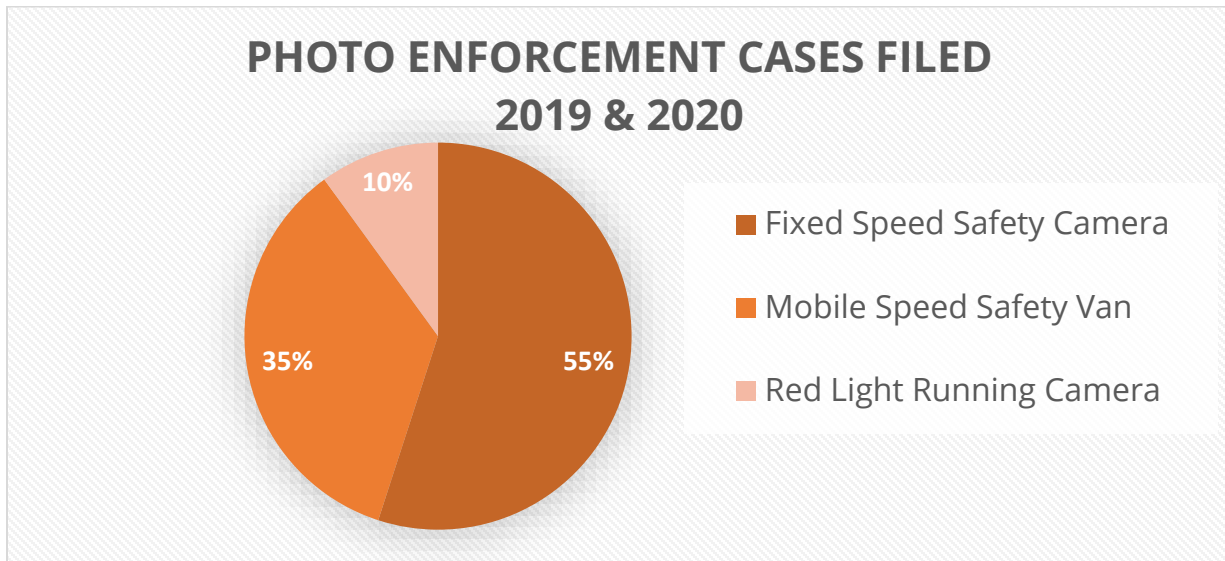


Figure 3. All photo enforcement cases filed in 2019 and 2020 combined. (Data source: Multnomah County Circuit Court) Fixed speed comprised the most photo enforcement cases filed in Multnomah County Circuit Court during 2019 and 2020. Of the total 132,513 cases filed in both years, 72,403 (or 55%) were fixed speed, 46,255 (or 35%) were photo radar (i.e., mobile speed van) and 13,855 (or 10%) were photo red light.

Cases by disposition type

Of the 72,403 fixed speed cases filed in 2019 and 2020, 55% were convicted and 45% were dismissed. Figure 4 illustrates the fixed speed cases categorized by disposition type. Most of the fixed speed cases were disposed of as follows:

- “Failure to appear” – 10,467 cases (14.5% of fixed speed cases filed) were convicted due to a failure to appear (e.g., failing to call, pay online, or come to court to take care of the case results in a default conviction).
- “Violation judge” – Those who appeared for trial or wrote a letter to the court and resulted in a conviction by a judge¹⁷ comprised 3,804 cases (5.3%).
- “Convicted” – 4,141 (or 5.7%) cases which were paid in full by mailing a check to the court.
- “Convicted- ePay” – 9,785 (or 13.5%) cases for which the fine was paid in full on-line.

¹⁷ There are two scenarios in which a defendant may have communicated with a judge: (1) appeared for trial or (2) wrote a letter to the court. To clarify, it is possible that a defendant may have received a reduced fine despite the conviction.



- “Convicted-Violation Bureau” – 11,687 (or 16.1%) cases were entered by court staff when a defendant appears at the counter (or over the phone) and is eligible for a reduction based on the Violation Bureau Schedule and one’s previous driving record.
- “Dismissals” – Dismissals amounted to 32,437 (or 44.8%) of fixed speed cases. The next section explains the reasons.
- “Deferred” – 75 (or 0.1%) of cases were deferred, which can mean that there was no final resolution.

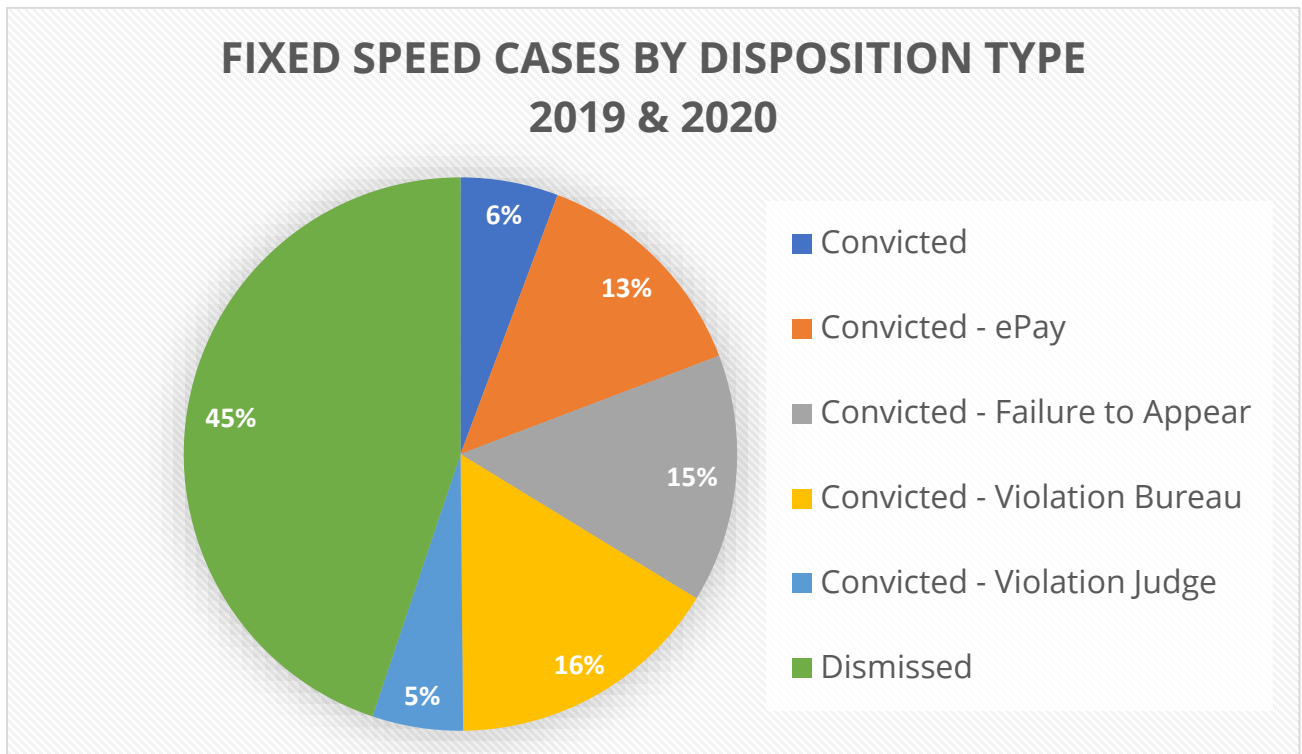


Figure 4. Fixed speed cases by disposition type. (Data source: Multnomah County Circuit Court)
Disposition of fixed speed cases as a percentage of all fixed speed cases filed with the Multnomah County Circuit Court.

Dismissals

Of the 72,403 fixed speed safety camera cases filed in 2019 and 2020, 32,437 (or 45%) of the cases were dismissed. There are myriad of reasons why a case is dismissed.



Certificate of Innocence (COI) and Affidavit of Non-liability (AFNL) constitute 63% of the dismissal rate in 2019 and 2020 combined. COIs accounted for 48% (15,462) and AFNLs accounted for 15% (4,704). Another 36% (11,603) of cases were dismissed because the driver was eligible for, and opted to take, a traffic safety class. Other dismissals included: 324 cases that were undeliverable due to lack of a valid address, 304 cases that were dismissed during trial and 40 cases dismissed due to death. Figure 5 shows the percentage breakdown of the dismissal types.

The traffic safety class was made available to those eligible drivers with fixed speed violations starting in July 2018. Eligibility depends on whether the driver has already attended the photo radar traffic safety class or received a speeding or red-light running violation within the past three years. Table 6 shows that 14,370 eligible drivers who received a fixed speed violation attended the traffic safety class in 2019 and 2020 combined.

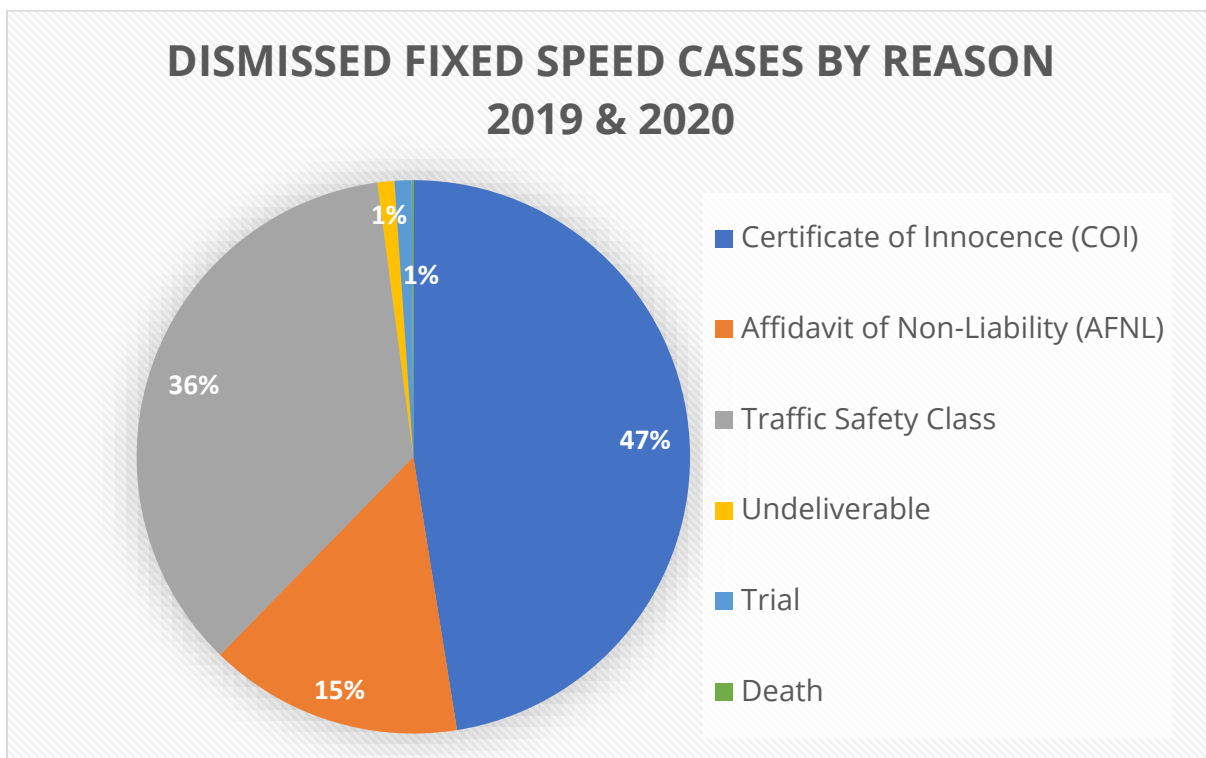


Figure 5. 2019 and 2020 dismissed fixed speed cases by reason. (Data source: Multnomah County Circuit Court) A total of 32,437 fixed speed cases were dismissed in 2019 and 2020 for the following reasons: 47% as Certificates of Innocence (COI); 15% as Affidavits of Non-liability (AFNL); 36% as traffic safety classes; 1% as undeliverable; and 1% dismissed during trial. ("Death" has been excluded from this graph because it was less than 1%.) (Data source: Multnomah County Circuit Court)



Traffic Safety Class Option (FS)				
	2019	% of total class (2019)	2020	% of total class (2020)
January	510	44.4%	476	46.7%
February	403	37.9%	430	43.7%
March	456	38.0%	141	33.5%
April	690	59.7%	0	N/A
May	563	48.2%	0	N/A
June	684	48.7%	7	43.8%
July	720	56.5%	258	45.4%
August	749	61.7%	348	61.5%
September	747	61.3%	393	55.9%
October	568	53.5%	397	51.2%
November	566	51.9%	336	53.8%
December	398	43.3%	491	61.1%
TOTAL	9073	44.4%	5297	46.7%

*Table 6. Traffic safety class attendance by fixed speed eligible (2019 & 2020) (Source: Conduent)
 The table reflects the temporary disruption caused by the COVID-19 pandemic prior to a shift to virtual classes in June 2020.*

Program Costs

Program costs associated with the administration and operation of the fixed speed safety camera program includes vendor fees and City administrative costs. The fixed monthly fee paid to the vendor is a flat-rate lease of \$3,195 per camera per direction enforced. The variable fee depends on the number of violation fines paid through the court or fees paid for the traffic safety class. The vendor does not collect a variable fee on any violation that is dismissed or otherwise unpaid. About half of the traffic violations mailed are paid within the first five months. Not all violations will be paid due to dismissals.

The City's administration costs include law enforcement work effort (e.g., review and approval of violations, and court appearances), PBOT staff time (e.g., engineer reviews, GIS support), permits (e.g., street opening permit) and other costs (e.g., survey, post card mailings). Table 7 shows program costs and revenue.

Administration costs shown in Table 7 do not include the costs to the Court. The Court expends a significant amount of time processing the fixed speed safety camera citations, even when they ultimately result in a dismissal. The court's process includes: monitoring



initial court appearance dates to apply default judgments should a defendant not take action on their citation; assisting defendants at the public counter and over the phone; processing incoming mail including Certificates of Innocence, Affidavits of Non-Liability, and mail pleas; setting trials and subpoenaing officers and defendants to appear at the time of trial; processing set-over requests filed by both officers and defendants if the trial date conflicts with their schedule; and communicating with the Department of Motor Vehicles to report convictions and remove license sanctions when appropriate. Additionally, if a defendant has completed the traffic safety class, the court must process notifications of compliance and enter a judgment of dismissal on each eligible case. Judicial resources are also required to conduct trials and open court, as well as review requests submitted by mail.

Most of the fine revenue generated by the cameras and paid through the Court goes to the State of Oregon's General Fund (approximately 70%). The fines are disposed as follows. Section 153.633 (1) states that \$60 (or the amount of the fine if the fine is less than \$60) is initially payable to the state prior to any other distribution of the fine. Section 153.640 (2)(a) further directs that the \$60 (or less) amount be deposited in the Criminal Fine Account. Of the remaining fine amount, Section 153.640(2)(b) and (c) state that 50% is payable to the local government and 50% is payable to the state.

Remaining funds (i.e., the 50% payable to the local government) are used to pay for operation and maintenance of the program. Any additional revenue beyond system costs is dedicated by statute to traffic safety.¹⁸ The City will reinvest in safety projects for all modes on High Crash Corridors such as installation of safety infrastructure, safety education and outreach and evaluation.¹⁹

¹⁸ Of those remaining amounts paid, Section 3, Chapter 721 (ORS 2015) states it "may be used only for costs of operating and maintaining fixed photo radar units in urban high crash corridors...and for improving traffic safety for all modes of transportation."

¹⁹ Memorandum of Understanding between the Portland Police Bureau, The Portland Bureau of Transportation, and the Multnomah County Circuit Court Regarding Automated Enforcement Programs in the City of Portland, Exhibit B, Ordinance 187727, p. 5.



FIXED SPEED SAFETY CAMERA PROGRAM (January 2019 - December 2020)	AMOUNT (USD)
Costs and Revenue	
Vendor costs (fixed fee; variable fee based on fines paid and class fees)	(-)1,657,760
Court revenue (fines paid through the Court)	(+)1,400,106
Traffic Safety Class (class fee collected)	(+)289,127
Subtotal	(+) 31,473
PPB work effort	(-)182,555
PBOT work effort	(-)198,254
Project administration and outreach costs (e.g., copy/print/bind/mail services; translation services; speed studies; program review; survey; permits)	(-)20,886
Subtotal PBOT program administration costs	(-) 401,695
Program cost total	370,222

Table 7. Cost and revenue of the Fixed Speed Safety Camera Program. Covering the calendar years of 2019 and 2020, this table shows the cost and revenue of the fixed speed safety camera program that is posted in the City's accounting system.

Conclusion

The City of Portland is committed to saving lives through safe street design, protecting pedestrians, creating a culture of shared responsibility and reducing speeds citywide. Portland employs an array of tools to reduce speeds, including fixed speed safety cameras. The City is committed to continuing the use of fixed speed safety cameras in an equitable, data-driven and accountable manner.