

Legislative Report OUTCOME EVALUATION: Fixed Photo Radar System City of Portland 2023-2024 This report prepared by:

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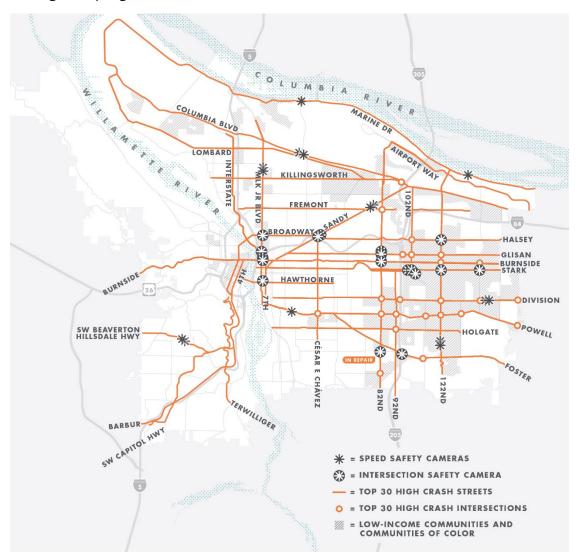
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# **Executive Summary**

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. Automated enforcement supports this approach.

Portland's automated enforcement system is comprised of 15 fixed speed safety cameras, 16 intersection safety (dual enforcement of red light and speed) cameras and two mobile speed safety vans. Portland installed seven fixed cameras in 2024. Portland plans to add 10 – 15 fixed speed cameras in 2025-26. The program also includes two mobile vans. The Portland Police Bureau (PPB) and the Portland Bureau of Transportation (PBOT) jointly manage the program.



Map of 15 Fixed Speed and 16 Intersection Safety Cameras operational as of December 31, 2024.



This report focuses on the City's fixed speed safety cameras. PPB concurrently submits the City's report on intersection safety cameras.



Signs are posted in advance of fixed speed safety cameras showing the speed limit, vehicle speed, and alerting drivers that traffic laws are photo enforced. Location: Beaverton Hillsdale Highway

The 15 fixed speed safety cameras are located on eight of Portland's High Crash Network streets. Portland installed the first fixed-speed cameras in 2016, and seven in 2024. Overall crashes decreased at fixed speed camera locations at a greater rate than citywide, -43% compared to –39%.

Since the first installations in 2016, speeding dropped 59% and top-end speeding (more than 10 mph over the speed limit) dropped 88% at fixed speed camera locations. In addition, the 85<sup>th</sup> percentile speed, also known as the prevailing speed, decreased by an average of 22% or 10 mph.

In 2023 and 2024, there were 105,352 photo enforcement cases filed in Multnomah County Circuit Court, of which 54,556 (52%) were fixed speed cases. Among fixed speed cases, 58% resulted in convictions and 42% of the cases were dismissed.



The City surveyed nearly 2,000 Portlanders on photo enforcement in November 2024. Respondents expressed strong support for Portland's automated enforcement traffic safety program. A supermajority supported using intersection safety cameras (82%) and speed safety cameras (76%) to enforce traffic laws.

Slowing speeds is key to advancing Portland's Vision Zero goal. 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 crash severity.

# **Reporting Mandate**

Oregon Revise Statute (ORS) <u>810.443</u> specifies the use and reporting requirements of the City of Portland's fixed photo radar system, referred to by PBOT as fixed speed safety cameras. The City is required to 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. This report also assesses camera impact on crashes and evaluates crash data before and after the systems were in place.

# **Overview: Portland's Fixed Speed Safety Camera Program**

In 2015, <u>HB 2621</u> granted the City of Portland the authority to implement fixed photo radar (i.e., fixed speed safety cameras). Portland City Council approved use of fixed speed safety cameras in May 2016 and the first set of cameras were installed in August 2016. In 2021, <u>HB 2530</u> removed the ten-year sunset on Portland's program.

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 parties



are currently updating the agreement. The City dedicates any fixed speed revenue beyond program costs to traffic safety on <u>Portland's High Crash Network</u>.

## Eight (8) High Crash Corridors: 15 Fixed Speed Safety Cameras

A camera system enforces one direction of travel. There are 15 fixed speed safety camera systems located on eight High Crash Network streets. Portland's fixed speed safety cameras are located on its High Crash Network.

- NE Columbia Boulevard
- NE Marine Drive
- NE Martin Luther King, Jr. Boulevard
- NE Sandy Boulevard
- SE 122<sup>nd</sup> Avenue
- SE Division Street
- SE Powell Boulevard
- SW Beaverton-Hillsdale Highway

The first fixed speed safety cameras were installed in 2016 on SW Beaverton-Hillsdale Highway, followed by 2017 installations on SE 122<sup>nd</sup> Avenue and SE Division Street and 2018 installations on NE Marine Drive. The City installed the remaining seven fixed-speed cameras in 2024.

The City initiates a one-month warning period to alert drivers of the cameras and encourage drivers to slow down prior to issuing citations. The City typically re-instates a two-week warning period to alert drivers of the speed limit change at existing fixed speed camera locations.

Table 1 below documents the location, speed limit, and dates of installation, warning periods, and speed limit reduction for Portland fixed speed safety cameras.



WARNING BEGIN DATE	CITATION BEGIN DATE	SPEED LIMIT	FIXED SPEED SAFETY CAMERA LOCATIONS
August 25, 2016	September 24, 2016	40 MPH	<b>SW Beaverton-Hillsdale Highway,</b> eastbound & westbound (between SW 35 <sup>th</sup> Ave and SW 39 <sup>th</sup> 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 <sup>th</sup> and 162 <sup>nd</sup> avenues) New cameras installed
February 20, 2018	March 22, 2018	40 MPH eastbound 45 MPH westbound	<b>NE Marine Drive,</b> eastbound & westbound (eastbound is west of NE 33 <sup>rd</sup> Dr; westbound is between NE 122 <sup>nd</sup> and NE 138 <sup>th</sup> avenues) New cameras installed
September 25, 2018	October 10, 2018	35 MPH	NE Marine Drive, eastbound   (west of NE 33 <sup>rd</sup> Dr)   Speed limit reduction: 40 mph to 35 mph
May 30, 2019	June 13, 2019	40 MPH	<b>NE Marine Drive,</b> westbound (between NE 122nd and NE 138th avenues) Speed limit reduction: 45 mph to 40 mph
September 29, 2020	October 14, 2020	35 MPH	<b>SW Beaverton-Hillsdale Highway,</b> eastbound & westbound (between SW 35 <sup>th</sup> Ave and SW 39 <sup>th</sup> Dr) Speed limit reduction: 40 mph to 35 mph
April 21, 2021	May 21, 2021	30 mph	<b>SE 122<sup>nd</sup> Avenue</b> , eastbound & westbound (between SE Foster Rd and SE Holgate Blvd) Speed limit reduction: 35 mph to 30 mph



February 19,	March 19,	30 mph	NE Sandy Boulevard,
2024 (WB)	2024		eastbound & westbound
			(between 75 <sup>th</sup> 78 <sup>th</sup> Ave)
January 5,	February 4,		
2024 (EB)	2024		New cameras installed, speed limit reduction
			30 mph from 35 mph in 2019
January 5,	February 4,	30 mph	NE Martin Luther King, Jr. Boulevard
2024 (NB)	2024		northbound & southbound
			(between Ashley St and Holman St)
February 27,	March 29,		
2024 (SB)	2024		New cameras installed
January 5,	February 4,	35 mph	NE Columbia Boulevard
2024 (EB)	2024		eastbound & westbound
			(between 29 <sup>th</sup> Ave and 33 <sup>rd</sup> Drive)
December 5,	January 4,		
2023 (WB)	2024		New cameras installed, speed limit reduction
			to 35 mph from 40 mph in 2020
October 31,	November 3-	30 mph	SE Powell Boulevard
2024	0, 2025		eastbound
			(near 22 <sup>nd</sup> Avenue)
			New cameras installed, speed limit reduction
			to 30 mph from 35 mph in 2021

Table 1. Installation dates, speed limit and locations for Portland's fixed speed safety cameras

# **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 program is key to enforcing the speed limits on High Crash Network streets in Portland.

#### Decreasing the number of vehicles speeding

The City conducted speed studies along the street segments enforced by the fixed speed camera systems. The "before" speed study captures driving speeds before installation of the fixed speed safety cameras. The "after" speed studies capture driving speeds after the cameras began issuing citations.

Prevailing speeds, the speed at which 85% of all drivers travel at or below (85% percentile), continued a steady drop since the fixed-speed cameras were first installed. Since PBOT installed the fixed speed cameras in 2016, the prevailing speeds at these locations has dropped by an average of 10 mph and top end speeding has dropped by 88%.

The City <u>reduced speed limits</u> at the original eight fixed speed camera locations during the data collection period:

- SE Division Street both directions, from 35 mph to 30 mph, 2017
- NE Marine Drive eastbound, from 40 mph to 35 mph, 2018
- NE Marine Drive westbound, from 45 mph to 40 mph, 2019
- SW Beaverton-Hillsdale Highway both directions, from 40 mph to 35 mph, 2020
- SE 122<sup>nd</sup> Avenue both directions, from 35mph to 30 mph, 2021

Table 2 demonstrates the synergistic impact of Portland's Vision Zero strategy in reducing speeding and increasing traffic safety. Speed limit reductions of 5 MPH typically result in a reduction in average speed of 1-2 MPH, according to the National Highway Traffic Safety Administration. However, by integrating speed limit reduction, street redesign, education, and automated enforcement cameras, fixed-speed camera locations saw an average reduction in prevailing speed of 10 MPH compared to pre-camera installation.



Overall Speed Reduction: All Fixed Speed Camera Locations with Before/After Data 2015 - 2024							
Time of Speed Study	Change in Speeding (1 mph or more over the speed limit)	Change in Top End Speeding (11 mph or more over the speed limit)	Percentage Change in Prevailing Speed (Speed traveled at or below by 85% of vehicles)	Change in Prevailing Speed (MPH) (Speed traveled at or below by 85% of vehicles)			
Initial speed study after camera installation	-61%	-87%	-15%	-6 mph			
2020	-71%	-94%	-19%	-8 mph			
2024	-59%	-88%	-22%	-10 mph			

Table 2. Decrease in speeding averaged across all locations with fixed speed safety cameras installed prior to 2024.

\*SE 122<sup>nd</sup> Avenue northbound data is from 2019 due to unavailable 2020 data.

\*\*2024 speed count data includes a January 2025 count for NE Marine Drive

Even though most vehicles drove slower at fixed speed camera locations in 2024 than in 2020, the percent of vehicles traveling over the speed limit and top-end speeding (11 mph or more over) increased. This is almost entirely due to the City lowering the speed limits at all locations. In other words, vehicles traveled at a lower speed in 2024 compared to 2020, but because that average decrease (2 mph) was smaller than the speed limit reduction (5 mph), the percentage of vehicles exceeding the speed limit increased.

Table 3 (below) presents this data for Beaverton Hillsdale Highway and SE 122<sup>nd</sup> Ave in a slightly different manner.



Beaverton Hillsdale Highway Changes in Speed 2016 vs 2024: Speed Camera, Speed Limit Reduction and Roadway Design (EB and WB between SE 35 <sup>th</sup> and 39 <sup>th</sup> Ave.)*							
	Prevailing speed (speed at or belowPercentage PercentagePercentage traveling overwhich 85% of vehicles are traveling)traveling overmph						
Before Camera Installation with 40 mph speed limit (2016)	47 mph	69.1	5.5				
After Camera Installation with 35 mph speed limit (2024)	37 mph	2.7	0.1				
Percentage Change (2024 vs 2016)	-21%	-96%	-98%				

122nd Avenue Changes in Speed 2017 vs 2024: Speed Camera, Speed Limit Reduction and Roadway Design (NB and SB between SE Reedway and Steele St.)*						
	Percentage traveling over 35 mph	Percentage traveling over 45 mph				
Before Camera Installation and 35 mph speed limit (2017)	42 mph	57.7%	4.5%			
After Camera Installation and 30 mph speed limit (2024)	34 mph	9.2%	0.2%			
Percentage Change (2024 vs 2017)	-19%	-84%	-96%			

Table 3: Comparison of vehicle speeds before and after the installation of speed cameras, speed limit reduction, and safety roadway design on Beaverton Hillsdale Highway and SE 122<sup>nd</sup> Avenue. \*All the data shown in the table are averages of both travel directions.



Table 4 (below) shows corridor-level speed data for each individual corridor.

SW BEAVER	SW BEAVERTON-HILLSDALE HIGHWAY (Westbound)								
Speed Study Before and 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			
	Nov-16	11704	26.1	0.4	42				
	Aug-17	10899	21.3	0.3	41	40			
AFTER	Aug-18	11005	28.3	0.5	42				
AFTER	Jul-19	11084	11.2	0.1	40				
	Sep-20	7542	11.7	0.1	40				
	Jun-24	10160	18.4	0.4	36	35			

SW BEAVERTON-HILLSDALE HIGHWAY (Eastbound)								
Speed Study Before and 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			
	Nov-16	12611	30.1	0.5	42			
	Aug-17	12621	24.8	0.6	42	40		
AFTER	Aug-18	11369	34.2	0.7	42	40		
AFIEK	Jul-19	12028	40.5	0.6	43			
	Sep-20	8137	22.6	0.3	42			
	Jun-24	9151	24.9	0.6	37	35		



#### SE 122<sup>ND</sup> AVENUE (Northbound)

SE 122 <sup>ND</sup> AVENUE (Northbound)								
Speed Study Before and 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	Jan-17	5642	59.8	5.0	42	35		
	Mar-17	5650	18.7	0.4	36	25		
	Apr-18	5391	18.9	0.2	36			
AFTER	Apr-19	5434	15.4	0.1	35	35		
	Sep-20		Data not available					
	Mar-24	4370	45.1	1.2	34	30		

SE 122 <sup>ND</sup> AVENUE (Southbound)								
Speed Study Before and 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	Jan-17	7215	55.6	3.9	41	35		
	Mar-17	7434	17.6	0.3	36			
	Apr-18	6560	20.2	0.3	36	35		
AFTER	Apr-19	6634	23.6	0.3	36			
	Sep-20	7156	13.2	0.2	35			
	Mar-24	5480	51.1	1.7	34	30		

SE DIVISION ST (Westbound)								
Speed Study Before and 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	Jan-17	15602	63.1	4.1	41	35		
	Mar-17	13572	31.3	1	32			
	Apr-18	11853	30.5	0.8	32	30		
AFTER	Apr-19	11462	20.7	0.4	31			
	Sep-20	8096	25.7	0.7	32			
	Mar-24	9478	20.5	0.4	31			



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 85th percentile (MPH)	Speed Limit (MPH)		
BEFORE	Jan-17	14396	66.1	5.2	42	35		
	Mar-17	12750	46.9	2.1	34			
	Apr-18	11367	50.2	2.3	35			
AFTER	Apr-19	11424	37.9	0.9	33	30		
	Sep-20	8317	23.1	0.6	32			
	Mar-24	8634	20.6	0.5	31			

NE MARINE DR (Westbound)							
Speed Study Before and 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 40	
	Dec-18	8653	30.8	1.6	48		
	Sep-20	5580	20.9	0.3	41		
	Jan-25	6761	31	0.6	42		

NE MARINE DR (Eastbound)							
Speed Study Before and 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	
	Mar-18	7294	24.4	0.4	42	40	
AFTER	Oct-18	6945	41.5	1.5	39		
	Sep-20	5471	25.8	0.6	37	35	
	Jan-25	5713	38.4	0.6	38		

Table 4. Detailed counts of speeds at each camera location before and after fixed speed safety cameras



The data in Table 4 above shows a sustained decrease over time in speeding on each corridor, and in each direction, once the fixed speed safety cameras were installed. Only one corridor, NE Marine Drive saw an increase in speed (1 mph) since the previous 2020 count, but prevailing speeds have dropped over 11 mph since speed camera installation.

Figures 1 and 2 graphically represent the change in the level of speeding at all fixed speed camera locations. The slight increase in speeding 2024-25 is due to speed limit reduction. The average 85% percentile speed for all locations decreased 2 mph from 2020 and 2024.

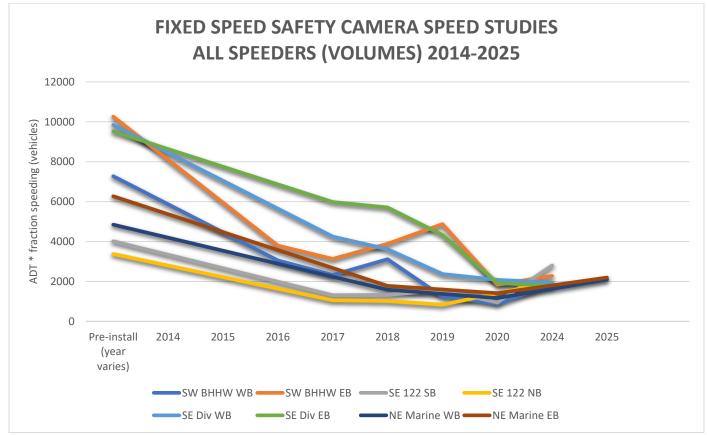


Figure 1. Reduction in volumes of all speeders at fixed speed camera locations



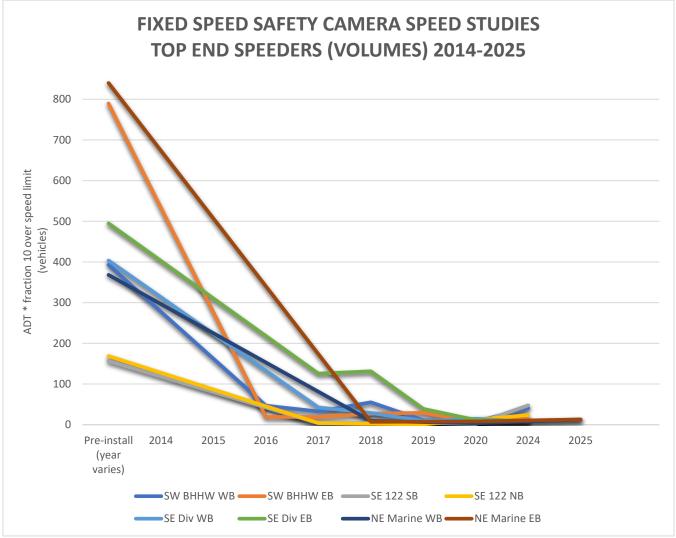


Figure 2. Reduction in volumes of top-end speeders at fixed speed camera locations.



## **Crash Comparisons at Fixed Speed Locations**

Overall crashes decreased at fixed speed camera locations (-43%) at a greater rate than citywide (-39%). Since the Covid-19 pandemic in 2020, national and local crash trends have shown increasing severity of crash injuries.<sup>1</sup> Fatal and serious injury crashes increased by +41% citywide between the 2012-2015 and 2019-2022 time periods. Speed camera corridors saw a much lower increase in fatal and serious injury crashes by only +9%. Speed-involved crashes along camera corridors are lower overall, 29 compared to 44 crashes in the prior four-year period, although the percent decrease (-34%) was not as large seen citywide, (--42%). Speed-involved crashes are those where speed is identified as a cause, as well as crashes that often involve excessive speed, including failure to stay in lane and fixed object crashes.

Speed camera locations	Total Crashes	Speed-involved crashes	Fatal and serious injury crashes
2012-2015	488	44	23
2019-2022	277	29	25
Percent change (%)	-43%	-34%	+9%

Citywide	Total Crashes	Speed-involved crashes	Fatal and serious injury crashes
2012-2015	46151	3963	942
2019-2022	28011	2285	1327
Percent change (%)	-39%	-42%	+41%

Table 4. Before and after analysis of crashes along the five segments where fixed speed safety cameras have been installed and citywide.

The Oregon Department of Transportation collects the crash data used in this report. Crash data is currently available through 2022. The City modified its crash reporting methodology since the 2021-22 report. Given the increasing number of camera locations to report, the percent changes are provided for all camera locations compared to the citywide trends. PBOT analyzes crash data on three-to-five-year timeframes. Due to the range of camera installation dates, a four-year period prior to any camera installation and a four-year period after the most recent installation was assessed.

The analysis in Table 4, above, is based on the detailed data for each of the four segments shown below, in Table 5. Table 5 shows crash activity along the individual camera corridors.

<sup>&</sup>lt;sup>1</sup> National Highway Traffic Safety Administration. (2021, October). *Continuation of Research on Traffic Safety During the COVID-19 Public Health Emergency: January – June 2021*. U.S. Department of Transportation. <u>https://www.nhtsa.gov/sites/nhtsa.gov/files/2021-10/Traffic-Safety-During-COVID-19 Jan-June2021-102621-v3-tag.pdf</u>



			2012-2015		2019-2022			
Camera	Location	Installation date	Total Crashes	Speed involved crashes	Fatal and serious injury crashes	Total crashes	Speed involved crashes	Fatal and serious injury crashes
Beaverton Hillsdale Highway	SW Beaverton Hillsdale Highway, 30th Ave- 39th Dr	8/25/2016	24	3	0	8	3	0
Southeast 122nd Avenue	SE 122nd Avenue, Foster - Holgate Roads	3/6/2017	141	12	1	82	8	2
Southeast Division Street	SE Division Street, 148th - 162nd Ave	3/6/2017	220	10	15	115	10	9
Northeast Marine Drive near 138th Avenue	NE Marine Drive, 122nd - 148th Ave	2/20/2018	38	4	5	33	3	8
Northeast Marine Drive near 33rd Avenue	NE Marine Drive, 13th to a mile east of 33rd Ave	2/20/2018	65	15	2	39	5	6

Table 5. Table shows before and after crashes, speed-involved crashes, and fatal and serious injury crashes for fixed speed safety camera segments.



In 2024, Portland installed seven (7) cameras along four corridors: Northeast Sandy Boulevard, Northeast Martin Luther King, Jr. Boulevard, Northeast Columbia Boulevard, and one segment of Southeast Powell Boulevard. After installation crash data is not yet available to evaluate the traffic safety changes along these corridors. These locations will be assessed in future fixed photo radar system report when sufficient crash data is available.

# **Public acceptance**

#### **Public surveys**

The City surveyed nearly 2,000 Portlanders on automated enforcement in November 2024. Respondents expressed strong support for Portland's automated enforcement traffic safety program. A supermajority supported using intersection safety cameras (82%) and speed safety cameras (76%) to enforce traffic laws.

Survey participants expressed a near-universal agreement that speeding increases crash risks and the severity of injuries (93%). Most respondents (71%) believe photo enforcement is fair, and awareness of these tools is high (94% for intersection safety cameras, 82% for speed safety cameras).

Respondents expressed a high level of concern about speeding on multi-lane arterials (current location of City's fixed speed cameras), as well as near schools, business districts and local streets. Respondents had the highest concern regarding speeding near schools with 75% of respondents identified it as a "very serious concern."

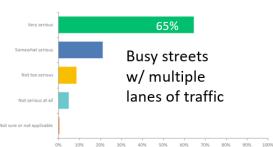


# Speeding on all streets seen as a "very serious" concern

Q14: How do you rate speeding as a safety issue or concern on smaller side streets? Answered: 1963.; 0

60% Very seriou Smaller side streets 10% 20% 30% 40% 50% 60% 70% 80% Q16: How do you rate speeding as a safety issue or concern on streets near schools? 1963 ,: 0 75% 17% Near schools

Q15: How do you rate speeding as a safety issue or concern on busy streets with multiple lanes of traffic?



Q17: How do you rate speeding as a safety issue or concern in business districts with lots of shops and restaurants?

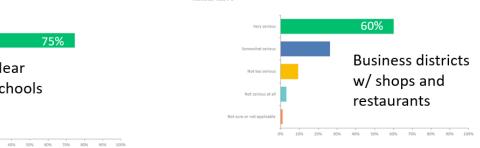
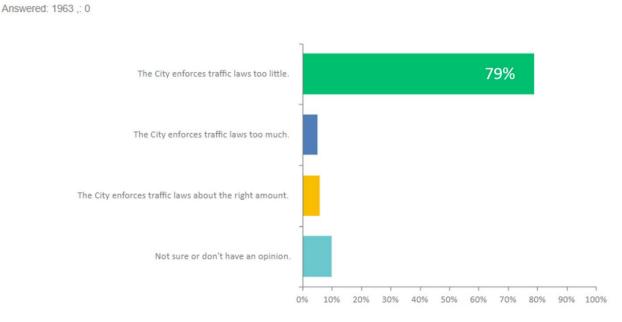


Figure 3 details survey respondents rating of concern about speeding on four different road types. The green represents "very serious" concern, blue "somewhat serious" concern, goldenrod "not too serious" concern, turquoise "not serious at all," and orange "not sure or not applicable."



Respondents also expressed a strong desire for more traffic enforcement. A supermajority of respondents (79%) responded that the City does not enforce its traffic laws enough.

# Q19: What is your opinion about the City of Portland's efforts to enforce traffic laws?



*Figure 4 details survey respondents' response to a question regarding their opinion on whether the City currently has the appropriate level of traffic enforcement.* 

# **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.



#### Traffic safety class option for photo radar violations

The Portland Police Bureau began offering a traffic safety class option in September 2016 for violations captured by automated enforcement cameras. The class option<sup>2</sup> 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 not received a red light running or speeding violation in the last three years 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.<sup>3</sup> The City provides people living on low incomes a highly discounted registration fee.

Classes switched to a virtual format in June 2020.

#### **Violation processing**

The administrative process of fixed speed safety camera enforcement includes citation processing and issuance, delivery, payment, and adjudication. The vendor, Elovate, captures and processes the violations through a multi-step process.

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 National Law Enforcement Telecommunication System (NLETS) which accesses Department of Motor Vehicle information for the United States and Canada. Through NLETS, the vendor receives the registered owner and vehicle information.

Review criteria include, 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.

<sup>&</sup>lt;sup>2</sup> 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).

<sup>&</sup>lt;sup>3</sup> 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. The warning period is thirty days for new camera locations and two weeks if the speed limit is reduced.

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. 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. Register and complete Portland Traffic Safety class (for those without a violation in three years and not previously taken the course)
- 2. Payment
  - a. By mail
  - b. Over the counter
  - c. Online
- 3. Request for trial, and subsequent dismissal
- 4. Request for trial, and subsequent conviction
- 5. Violation Bureau Reduction over the counter (administrative reductions administered by the Clerk)
- 6. Certificate of Innocence (COI) (private party)
- 7. 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 decides 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, Photo Enforcement Filings and Dispositions, discloses how the fixed speed cases were disposed in Court – how they were paid or, if dismissed, for what reason.



### **Photo Enforcement Filings and Dispositions**

#### All photo enforcement cases filed

In 2023, there were a total of 44,733 photo enforcement cases filed in Multnomah County Circuit Court. Of those, fixed speed cases comprised 22,378, intersection safety cameras 17,702, and mobile speed vans 4,653.

In 2024, there were a total of 61,048 photo enforcement cases filed in Multnomah County Circuit Court. Of those, fixed speed comprised 32,178, intersection safety cameras 20,158, and mobile speed vans 8,283.

Figure 5, below, illustrates the breakdown of the photo enforcement cases filed in 2023 and 2024 combined.

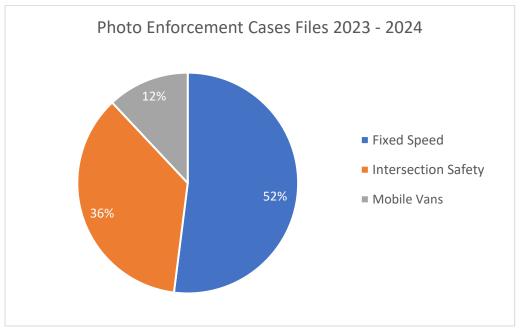


Figure 5. All photo enforcement cases filed in 2023 and 2024 combined. (Data source: Multnomah County Circuit Court) Fixed speed safety cameras comprised the most photo enforcement cases filed in Multnomah County Circuit Court during 2023 and 2024. Of the total 105,352 cases filed in both years, 54,556 (or 52%) were fixed speed, 37,860 (or 36%) were intersection safety cameras (red-light and speed), and 12,936 (or 12%) were mobile vans.

#### Fixed speed safety cases by disposition type

Of the 54,556 fixed speed cases filed in 2023 and 2024, 58% were convicted and 42% were dismissed. The fixed speed cases were disposed of as follows:



- "Failure to appear" 17,474 cases 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).
- "Convicted" 2,202 cases include those which were paid in full by mailing a check to the court.
- "Convicted Violation judge" 1,423 cases include those who appeared for trial or wrote a letter to the court and resulted in a conviction by a judge.<sup>4</sup>
- "Convicted-Violation Bureau" 3,612 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.
- "Convicted- ePay" 6,983 cases for which the fine was paid in full on-line. If eligible, the online system will automatically guide individuals through the process to request an online reduction of their fine. By accepting a reduction offer, individuals enter a plea of No Contest and are responsible for the final amount indicated by the online payment system.<sup>5</sup>
- "Convicted eCVB" 3,027 cases that were convicted by the electronic violations bureau (eCVB). This is similar to "convicted-violation bureau" except that the fine was reduced online, following the same criteria.<sup>6</sup>
- "Dismissals" Dismissals amounted to 25,031 (or 42%) of fixed speed cases. The next section explains the reasons.
- "Deferred" 95 of cases were deferred, which can mean that there was no final resolution.

#### Fixed speed safety dismissals

Of the 54,556 fixed speed safety camera cases filed in 2023 and 2024, 25,031 (or 42%) of the cases were dismissed. There are several reasons why a case is dismissed.

<sup>&</sup>lt;sup>4</sup> 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.

<sup>&</sup>lt;sup>5</sup> https://www.courts.oregon.gov/services/online/Pages/epay-ecvb-faq.aspx?#VIOLATIONS

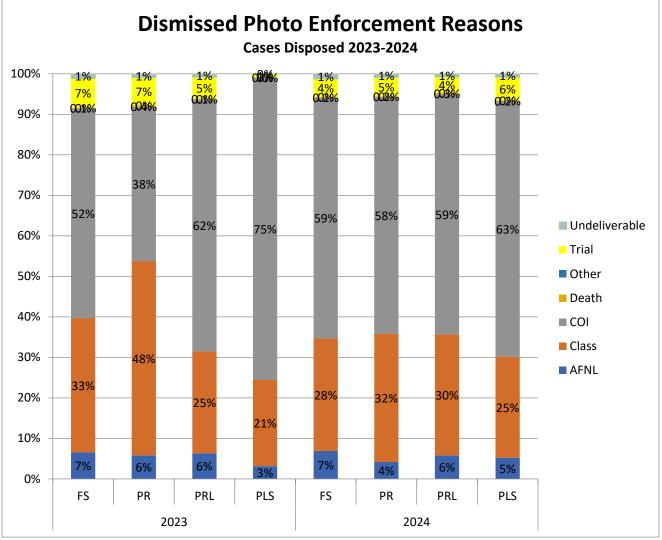
<sup>&</sup>lt;sup>6</sup> <u>Oregon Judicial Department : OJD Courts ePay FAQs : Online Services : State of Oregon</u>



Certificate of Innocence (COI) and Affidavit of Non-liability (AFNL) constitute 53% of the dismissal rate in 2023 and 2024 combined. COIs accounted for 47% and AFNLs accounted for 6%. Another 25% of cases were dismissed because the driver was eligible for, and opted to take, a traffic safety class. Other dismissals included: dismissed due to an undefined reason, undeliverable due to lack of a valid address, dismissed during trial, dismissed due to death, dismissed during trial by declaration, and dismissed due to other reasons. Figure 6below, 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, below, shows that 13,866 eligible drivers who received a fixed speed violation attended the traffic safety class in 2021 and 2022 combined.





*Figure 6. 2023 and 2024 dismissed photo enforcement cases by reason. (Data source: Multnomah County Circuit Court)* 

#### **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 variable fee for the vendor depends on the number of violation fines paid through the court or fees paid for the traffic safety class. Not all violations will be paid due to dismissals, diversion to the traffic safety class, Certificates of Innocence, and Affidavits of Non-Liability .



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, project management), permits (e.g., street opening permit) and other costs (e.g., survey, mailings). Table 7 shows program costs and revenue.

Administration costs shown in Table 7, below, 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.<sup>7</sup> 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.<sup>8</sup>

<sup>&</sup>lt;sup>7</sup> 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."

<sup>&</sup>lt;sup>8</sup> 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.



REVENUE AND EXPENSES OF FIXED SPEED SAFETY CAMERA PROGRAM	
(January 2023 - December 2024)	AMOUNT
	(USD)
Vendor expense	
(fixed fee; variable fee based on fines paid and class fees)	(-)314,977
Court revenue (fines paid through the Court)	(+)1,338,280
Traffic Safety Class revenue (class fee collected)	(+)409,978
Vendor, Court and class subtotal	(+)1,433,281
PPB work effort expense	(-)191,632
PBOT work effort expense	(-)257,018
Project administration and outreach expenses (e.g., copy/print/bind/mail services; translation services; speed	
studies; program review; survey; permits)	(-)29,857
PBOT program administration costs subtotal	(-) 478,507
Program total (revenue)	954,774

Table 6. Revenue and expenses of the Fixed Speed Safety Camera Program. Covering the calendar years of 2023 and 2024, this table shows the revenue and expenses of the fixed speed safety camera program that is posted in the City's accounting system. Due to a time lag between the accruing of expenses and revenues and them posting, the table therefore doesn't accurately reflect the true operation costs and revenue for the reporting period.

# 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.



# **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 503-823-7191 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.

# **Portland Bureau of Transportation**

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Mi annuk non ewe City of Portland pwe esap wor emon esap etiwa an epwe fiti, esap angei feiochun, are epwe kuna iteingau non meinisin an ew tetenimw kewe mokutukut, aninnis, are mwich nongonong won i chon ia, enuan, chon menni muu, weiresin inis, are pwan ew tapin aramas mi auchea are pisekisek. Fan itan an fiti Civil Rights Title VI me ADA Title II annuken pungun manau, ewe City of Portland mi ennetata pwe epwe wor etiwaoch ngeni an ewe tetenimw mokutukut, aninnis, me mwichren an aworaochu: chiaku me awewen kapas, ekkesiwin, etufich, sokonon napanap, me pwan ekkoch minen awewe me aninnis. Ika ka mochen ekkei pekin aninnis, kokori 503-823-5185, City TTY 503-823-6868, Fon Fan Itan Ekkewe mi wor Ar Osukosukan Manau: 711.

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पोर्टल्यान्डको शहरको नीति हो कि कुनै पनि व्यक्तिलाई जाति, रङ, राष्ट्रिय मूल, असक्षमता वा अन्य संरक्षित वर्गीकरण स्थितिको आधारमा कुनै पनि शहरका कार्यक्रम, सेवा वा क्रियाकलापमा सहभागी हुन भेदभाव गरिने, वञ्चित गरिने, लाभहरू प्रदान गर्नबाट अस्वीकार गरिनेछैन। नागरिक अधिकार शीर्षक VI र ADA शीर्षक ॥ नागरिक अधिकारको कानूनहरूको पालना गर्दै, पोर्टल्यान्डको शहरले शहरका कार्यक्रमहरू, सेवाहरू र क्रियाकलापहरूमा बराबर पहुँच निश्चय गर्नको लागि निम्न प्रदान गर्दछ: अनुवादन र व्याख्या, परिमार्जन, आवास, वैकल्पिक ढाँचाहरू र सहायक सामग्री र सेवाहरू। यी सेवाहरू अनुरोध गर्नको लागि 503-823-5185, शहरको TTY 503-823-6868, रिले सेवा: 711 मा सम्पर्क गर्नुहोस्।



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Waxaa kucad siyasada Mgalaada Portland in qofna loodiidi karin kaqaybgalka, loodiidi karin gunooyinka, ama aan latakoori karin wax kamid ah barnaamijyada magalaada, adeegga, ama shaqo sababo laxariira isirkiisam midabkiisa, wadankiisa, naafonimadiisa, ama xaalad kale oo sharcigu difaacaayo. Ayadoo raacaysa Sharciga Xaquuqda Madaniga ah ee Title VI iyo ADA Title II ee sharciyada xaquuqda madaniga ah, Magaalada Portland waxay xaqiijinaysaa barnaamijyo lawada heli karo oo macno leh ayna bixiso magaaladu, adeegyo, iyo shaqooyin ayadoo si sax ah ubixinaysa: turjumaad iyo soojeedin, isbadalo, adeegyo caawimaad ah, noocyo kaladuwan, iyo caawimaado iyo adeegyo dheeri ah. Si aad ucodsato adeegyadaan, wac 503-823-5185, City TTY 503-823-6868, Adeegga Caawimada: 711.

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