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## Using Traffic Cameras Legally, Effectively, and Fairly

I would like to take this opportunity to fully explain my reasoning behind filing legislation that would provide reasonable guidelines for the use of red light traffic cameras.

My primary concern is the legality of cities using cameras to catch motorists that run red lights. This concern is shared by Attorney General Jay Nixon, who on August 9 of this year told the St. Louis Post Dispatch, "I think it's pretty clear these pictures can't be the sole or only evidence to cite drivers for violating state traffic laws. I have deep concern whether taking someone's picture rolling through a stop light is adequate evidence in and of itself to uphold a state traffic law. A picture may be worth a thousand words, but a picture in and of itself is not a conviction."

Used properly, camera-based traffic monitoring may be a good safety tool, but certain concerns need to be addressed to ensure uniformity statewide. First, contingency agreements, in which companies manufacturing and maintaining cameras get a set percentage of fees collected, should be banned. Second, private companies employing civilians should not be able to control traffic lights and certainly should not issue and/or profit from citations. Law enforcement officers who go through certified training should be the only ones issuing citations. The City of Baltimore is now subject to a \$10 million class action lawsuit alleging that the company maintaining the city's cameras decreased yellow light times in order to issue more tickets, an unacceptable practice.

Third, when a camera snaps an image of a red-light runner, it identifies the vehicle, not the driver. The citation is sent to the owner of the car, whether the owner was operating the vehicle at the time of the violation or not. The owner is then expected to turn in their husband/wife, daughter, son, etc. Many people assert that this situation already arises with the issuance of parking tickets. However, the citation for running a red light is a moving violation- violations motorists receive for the way they drive, not what they own. So it is not in any way similar to a parking violation.

To protect the innocent, a provision allowing those charged to file affidavits saying they were not driving without being forced to turn in another, should be in place to nullify the ticket. Additionally, these citations should not carry with them a point assessment.

Finally, there needs to be an exception for drivers that make right hand turns on red, a legal turn in Missouri, but one that cameras do not differentiate. Other circumstances include running a red light to make way for an ambulance or other emergency vehicles. Therefore, video cameras, as opposed to still cameras, should be used. Video cameras would show passage of emergency vehicles, as well as full stops before making right-on-red turns. For that matter, if safety is truly the motivator behind intersection monitoring, cities should fully utilize video technology to prevent lights from turning green if a vehicle is still shown in the intersection.

Enhanced public safety measures and assured constitutional protections can and should ride together, and I intend to make sure that red light cameras are used legally, effectively, and fairly in the State of Missouri.

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