

**TESTIMONY SIGN-UP  
FOR**

**35456**

1703 | 1704 | TC 9:45 AM Photo Radar Project

**IF YOU WISH TO SPEAK TO THE CITY COUNCIL,  
PLEASE PRINT YOUR NAME AND ADDRESS BELOW**

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## INTRODUCTION

The evaluation plan and deployment guidelines described in this document are intended to ensure that the City meets the requirement to evaluate the effect of photo radar on traffic safety and, at the same time, make photo radar broadly available to address speeding problems throughout Portland

As part of the legislation authorizing the Cities of Portland and Beaverton to test photo radar, the Cities are required to conduct a process and outcome evaluation that includes the following

- The effect of photo radar on traffic safety (particularly vehicle speeds),
- The degree of public acceptance,
- The process of administration, and,
- Suggestions for design or planning changes that might reduce traffic congestion on residential streets or use of such streets as thoroughfares

The Oregon Department of Transportation will provide an executive summary of this evaluation to the Sixty-Ninth Legislature which will convene in January 1997

The City of Portland's Police Bureau and the Bureau of Traffic Management (BTM), with input and review from citizens throughout the city, have developed an evaluation plan and deployment that will most efficiently and equitably use photo radar throughout the test period, while at the same time providing the data required for an evaluation. The evaluation plan focuses on collecting traffic safety data. Other data required as part of the evaluation, such as costs, public opinion, and analysis of the administrative processes, will be gathered separately

Note that the first part of this document, "Photo Radar Evaluation Plan," addresses the evaluation strategy. This evaluation effort centers around a selected group of streets that will have repeated photo radar deployment and data collection. But the photo radar unit will be available for deployment to other streets throughout Portland as well. These other streets are addressed in "General Deployment" in the last section of the document

# PHOTO RADAR EVALUATION PLAN

## Evaluation Constraints

**Time Frame** — The Legislature has granted the Cities of Portland and Beaverton two years in which to use photo radar. This two-year demonstration period will run from January 1, 1996 through December 31, 1997. However, because the 1997 Legislature will convene in January 1997, the Cities have only one year in which to gather and analyze data and to prepare an evaluation.

**Data Collection** — In order to ensure an accurate and valid evaluation of photo radar, data must be collected before, during and after the photo radar deployments. To do this, data must be collected on a group of streets on a long-term basis (one-year). This group of streets will consist of a total of 10 to 15 test streets in residential areas and/or school zones. Because of summer break, data will not be collected on test streets in school zones for a full year.

We will also collect data on a regular basis on streets that will not have photo radar deployment. These counts will help us to better identify what velocity fluctuations might be attributable to factors other than photo radar (like weather).

**Number of Units** — Only one photo radar unit will be used during this two-year demonstration period. The use of one unit is adequate to collect data for the evaluation and still allow deployment at many sites other than the 10 to 15 streets being tested on a long-term basis. In addition, staffing requirements associated with the operation of additional units are in excess of our current available resources.

## Evaluation Plan — Overview

The evaluation plan outlined in this document is aimed at determining whether or not photo radar is effective in reducing speeds. In addition, it allows the City to analyze other enforcement and educational tools to determine what impact they have on reducing speeds. The evaluation does not involve the analysis of engineering solutions such as speed bumps or traffic calming devices. Nor does it analyze the effectiveness of the Speed Watch Program. Ultimately, the results of this test will provide the City with information about the most cost-effective enforcement and educational speed reduction solutions.

The following highlights the key elements of the evaluation plan:

- Pretesting of speed reduction tools will occur prior to photo radar deployment. This will allow the City to gather control data on selected streets.

- Deployment of photo radar to test streets will initially occur using a 3 per week /2 per week deployment schedule. This schedule allows for three deployments per street the first week, followed by 2 deployments on the same street the second week. On the third week, photo radar will not return to that street.
- Data will be collected on test streets on a regular basis over the course of one-year (less time in school zones) to determine the effect of photo radar on speeding. The velocity counts will initially be collected on a weekly basis, but this may change over time once we feel that there is an established pattern allowing for decreased data collection.
- Photo radar will be redeployed as necessary when data collected on the test streets indicates speeds have returned to unacceptable levels. Once the established threshold is reached, photo radar will be redeployed to that street.
- The Police Bureau's Traffic Division and the Bureau of Traffic Management will alter the deployment schedule for test streets, as necessary, to ensure optimum use of the photo radar equipment. Information obtained during the test will indicate whether the 3-2 deployment strategy is sufficient or whether the City should try a different schedule.

## **Test Locations**

There will be a minimum of 10 test streets. To the extent possible, test sites will be distributed equivalently throughout the city (ie, choose sites from all areas of the city). Coordination will be required between the different city bureaus to ensure that there are no conflicts with test sites. For instance, additional police enforcement will not be allowed at or around test sites during the time that the street is under review. Streets that have received or are about to receive funding for improvements (speed bumps, etc.) through the Traffic Calming Division of the Bureau of Traffic Management or other sources will not be selected as test sites.

### **School Zones**

All streets with school zones established for either elementary or middle school children will be considered for photo radar usage. For our purposes, a school zone is defined as a segment of roadway delineated on both ends by "School Speed 20 When Children Are Present" signs. A street with a school zone is not necessarily a residential street, it may be a higher-volume collector street. However, the typical school zone street is a two-lane, residential street. We will target our photo radar evaluation efforts to school zones in residential areas. This will allow us to evaluate the effect of photo radar on both the school zone speed limit and also on the residential speed limit that applies when children are not present.

### **Residential Streets**

As for residential streets, the Bureau of Traffic Management is compiling a list of locations that are known to have a significant difference between the speed limit and the 85th percentile speed (the speed at which 85% of the drivers are traveling at or below) The Bureau of Traffic Management has compiled two different lists that address this category 1) All Neighborhood Collector Streets in the City of Portland, 2) All Local Service Streets that have been evaluated by the Traffic Calming Program

Both lists are prioritized per their difference between the posted speed and the 85th percentile speed Preference will be given to higher volume streets that have a significant number of drivers substantially exceeding the speed limit For evaluation purposes, data from test streets will be analyzed further to be sure that we have like streets in terms of posted speed, volume, and number of lanes

## **Test Site Deployment Schedule**

### **Initial Deployment**

The legislation states that photo radar shall be used for no more than four hours per day in any one location Thus, the photo radar unit will be deployed to several different streets on any given day The Police Bureau proposes to use the photo radar unit to enforce the speed limit on a 3-2 patrol schedule This means that during the first week of a street's patrol, photo radar will be deployed to the street three separate days During the second week, photo radar will be redeployed to that street on two separate days Enforcement will stop after the second week until the data demonstrates a need for redeployment It is important to note that it is likely that this deployment schedule will change The Bureau of Traffic Management's ongoing analysis of the velocity on these streets may show that this deployment schedule is not as effective as desired As a result, enforcement may have to be increased Or, if photo radar is very effective, enforcement efforts may be reduced to the minimum levels needed to maintain the reduced speeds

### **Redeployment**

There are two different ways that additional deployment could occur on test streets One might be at the impetus of the velocity data taken by the Bureau of Traffic Management If the data shows that speeds have returned to their unacceptable levels the Bureau of Traffic Management will notify the Police Bureau of the need for further enforcement

Another means of increasing additional deployments will be at the discretion of the Police Bureau An officer, upon doing a redeployment, may feel that the number of cars exceeding the speed limit is excessive and they may independently decide that additional deployment is necessary Should this redeployment occur, it will be critical that the Police Bureau have ongoing, daily communications with the Bureau of Traffic Management The Bureau of Traffic Management will need to know of additional deployments promptly because it

could require immediate changes in the Bureau of Traffic Management's data collection schedule

We will, when needed, redeploy photo radar for two days at those locations needing further enforcement. However, as noted above, it is likely that this redeployment effort may change if the situation and/or analysis appears to call for it.

## **Test Analysis**

### **A. Velocity Analysis**

Velocity counters will be used to provide the extensive data needed for this project. Used in the place of roadtubes, these counters are small, self-contained units that are believed to have little impact on driver behavior.

#### **Before**

Prior to photo radar implementation, speed studies will be taken on all test streets. This "Base Count" will be compared to previous data to ensure that it is representative of the street's conditions. If the base count is not consistent with previous data, an additional count will be taken. This will ensure that the base data used in the evaluation truly represents the street's conditions prior to deployment of photo radar.

#### **During & After**

Once photo radar is initiated, a 24-hour speed study will be conducted on two different days of the first week of deployment. The first study will be on the third day of photo radar deployment. The second 24-hour speed study will be done on the day immediately following the third day of deployment when photo radar is not active on the street.

After the initial week of deployment, the 24-hour speed studies will be continued on a once-a-week basis. This may change over time once we feel that there is an established pattern allowing for decreased data collection. For instance, perhaps after we have monitored it for several months with consistent data results, we might feel comfortable in monitoring it every other week. During redeployment weeks, we will take the counts on the day immediately following the last day of redeployment.

#### **Velocity Statistics**

There are three velocity statistics that will be examined through this evaluation. The first is the 85th percentile. The second is the percent of vehicles exceeding the speed limit. The third is the change in the percent of vehicles specifically exceeding the threshold speed.

## **B. Accident Analysis**

The majority of collisions occur on higher volume collector streets. Because the legislation limits the use of photo radar to streets in residential areas and schools, which are typically lower volume streets, a large decrease in accidents is not anticipated. However, because some school zones are located on higher volume collector streets, we may have some opportunity to evaluate the accident data on these streets.

Accident reduction is not expected to be a measure of success for photo radar, however, we don't want to rule out the possibility of collision reductions due to the usage of photo radar. Therefore, once photo radar has been in use for over a year, the Bureau of Traffic Management will analyze accidents on the test streets to determine whether there has been any positive impact. The accidents occurring during the year of photo radar implementation (1996) will be compared to the accidents occurring prior to 1996. Potential impacts might be reductions in actual numbers of collisions or changes in the severity of injuries that occur upon impact. Note that, because the City will not receive the 1996 accident data from the Oregon Department of Transportation until July of 1997, collision analysis will not be available for presentation to the Sixty-Ninth Legislature convening in January 1997.

## **Evaluation of Other Speed Reduction Alternatives**

To compare the impact of photo radar with other speed reduction methods, the City will also conduct an analysis of other enforcement methods and education tools. We will not analyze Speed Watch or traffic management devices such as speed bumps because they have their own analysis conducted through the Traffic Calming Program.

We will test other speed reduction alternatives prior to starting photo radar. The four methods that we have selected to pre-test are the following:

- ▶ Patrol Car With Readerboard
- ▶ Traditional Police Enforcement
- ▶ Readerboard (Smart Cart)
- ▶ Banners (Slow Down For Kids Sake)

The Bureau of Traffic Management will collect data at five locations for each of the above alternatives. These alternatives and locations will be tested in the same manner as the sites chosen for photo radar deployment. Further details related to these four methods are noted below. Testing will run September 11th through December 15th, weather permitting, for a minimum of 10 weeks.

### **Patrol Car With Readerboard**

To determine whether the mere presence of a police vehicle has an impact on



driver behavior, we will test the effect of an unmanned police vehicle partnered with a readerboard displaying the speed of passing vehicles. This will simulate the effect of photo radar without the ticket issuing aspect. The goal is to determine whether it is just as effective as photo radar without actually incurring the costs associated with ticket processing.

An unmanned patrol car with readerboard will be dispatched by the Police Bureau in the same manner as that proposed for photo radar. That is, it will be stationed at two or three different sites during the course of a day. Data will be collected by the Bureau of Traffic Management in the same fashion as proposed for photo radar.

#### **Traditional Police Enforcement**

Traditional speed enforcement will also be analyzed to determine its impact on drivers' behavior. In addition, this method will compare its cost effectiveness to that of photo radar. For instance, the tickets issued must be evaluated to see how many were contested in court, etc.

A police officer will pull over and ticket offenders in the traditional manner. However, the police will utilize a similar deployment schedule as that proposed for photo radar. This will require officers dedicated to routine patrol of a site for a selected time period (ie, each of the five test sites will need three deployments of about 3 hours each during the first week, etc.) The Bureau of Traffic Management will collect 24-hour speed studies in the same manner as that proposed for photo radar.

#### **Readerboard (Smart Cart)**

The Smart Cart will be deployed in the same manner as it is currently. That is, it may be deployed by the Police Bureau for 24-hour periods. The Bureau of Traffic Management will take a 24-hour velocity count on the day that the Smart Cart is deployed and the day following its deployment. If this data shows a lowering of speeds, the Bureau of Traffic Management will continue to collect data to evaluate long-term impacts. Additional 24-hour deployments of the Smart Cart, if it proves to be effective, may be initiated on the test streets to see whether they can produce any further long-term impacts.

#### **Banners (Slow Down For Kids Sake)**

The "Slow Down For Kids Sake" banners will be installed in the same manner as the existing practice. That is, they will be installed at a particular location for a three-week period. A 24-hour velocity count will be taken each week that it is installed. If this data shows a reduction in speeds on the actual days of use, the Bureau of Traffic Management will collect data to evaluate long-term impacts. No further deployment of banners is planned for the test streets.

# GENERAL DEPLOYMENT

The test streets are not expected to monopolize the use of the photo radar unit. In the first year, the City estimates that photo radar will be available for deployment to approximately 100 locations with three visits at each location. Using photo radar at many different sites throughout the city will allow increased visibility to drivers in Portland. This will be valuable in evaluating public acceptance of photo radar.

## Guidelines for General Deployment

The following guidelines have been developed in order to most effectively and equitably deploy photo radar and allow for an evaluation of its impact on traffic safety.

- 1) First priority for deployment of photo radar will be on test streets that are part of the evaluation plan.
- 2) General deployment of photo radar on non-test streets
  - a) Photo radar will be deployed throughout the City on a variety of street types in residential areas and school zones.
  - b) School zones will be selected based on high volumes, high speeds, and problem areas identified by the school districts.
  - c) Residential streets will be selected based on high speeds and high volumes.
  - d) Identification of speeding problems and appropriate solutions will continue to be done through existing Police Bureau Traffic Division and Bureau of Traffic Management systems, with the police being the primary responders. Citizens should continue to help the City identify speeding problems on their streets, however, photo radar will not be deployed based on specific requests for photo radar.
  - e) Photo radar will be deployed at the minimum levels necessary to bring about the desired reduction in speeds.
  - f) Deployment sites will be chosen at the discretion of the Police Bureau with input by the Bureau of Traffic Management. Traffic Management will provide lists to the Police Bureau that identify the 85th percentile speed versus speed limit and volume for all streets on file with the Traffic Calming section of the Bureau of Traffic Management. The police may use this information to help them select sites.

35456

**PHOTO RADAR  
DEMONSTRATION PROJECT**

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**CITY OF PORTLAND**

Prepared by the  
Portland Office of Transportation  
October 18, 1995

PHOTO RADAR DEMONSTRATION PROJECT  
CITY OF PORTLAND  
October 1995

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## PORTLAND'S PHOTO RADAR DEMONSTRATION PROJECT

### WHY DOES PORTLAND WANT TO TEST PHOTO RADAR?

Every year Portland residents register hundreds of complaints about speeding in residential areas and school zones, making speeding one of the biggest traffic-related complaints in the City of Portland. In 1994 the Bureau of Traffic Management received some 400 speeding complaints and the Portland Police Bureau's Traffic Division received some 200 speeding complaints. Speeding in neighborhoods and school zones compromises the livability of neighborhoods. It makes playing outdoors hazardous to children, it increases background noise due to vehicles, and it makes walking and bicycling dangerous for all.

Portland has implemented educational programs and engineering solutions to encourage drivers to slow down, but lacks sufficient enforcement resources to adequately address the problem. As a result, the City of Portland, with the support of its citizens, has tried for five years to gain Legislative authority allowing them to test photo radar as a speed enforcement tool. In 1995, the City of Beaverton joined Portland in its effort to gain authority to test photo radar.

The Cities and their citizens believe photo radar may be an enforcement tool that will allow their Police officers to more efficiently address speeding complaints without diverting existing resources away from other Police activities.

The 1995 Oregon State Legislature granted authority for a two-year test of photo radar in the Cities of Portland and Beaverton. If the test project is deemed successful, the Cities anticipate they will ask the Legislature for permanent authority to utilize photo radar in their speed enforcement efforts.

### WHAT IS PHOTO RADAR?

Photo radar is a speed enforcement tool operated by trained police officers. The system uses a radar device to detect speeding vehicles. When the radar detects a speeding vehicle, a photograph is taken of the driver and vehicle's license plate. Ownership information is obtained from the Department of Motor Vehicles and citations are then mailed to the registered owner of the vehicle. Photographs are never mailed with the citation.

Photo radar has shown to dramatically reduce speeds and traffic collisions. In National City, California, accidents have dropped 41% since the adoption of photo radar in 1991. In Ontario, Canada, the proportion of speeders dropped by as much as 42% depending on the test site.

Photo radar has a number of other benefits

- Photo radar can positively identify speeding vehicles in a non-discriminatory manner, producing photographic evidence that includes the speed, time, date, location, and other relevant information
- Photo radar can detect and record speeders as close as 0.5 seconds apart, while providing safeguards that ensure the speed measurements will be associated with the correct vehicle
- Photo radar eliminates potentially dangerous traffic pursuits which can pose a danger to police officers, speeders, other vehicles, pedestrians and bicyclists

Photo radar has been used in cities throughout the world for more than twenty-five years. Some 2,500 systems are in place in over 45 countries. In the United States, more than two dozen jurisdictions currently use photo radar in their speed enforcement efforts.

#### **HOW DOES PHOTO RADAR WORK?**

The photo radar system consists of a narrow-beam, low-powered Doppler radar antenna aimed across the road, a high-speed traffic camera and flash unit, and a computer. This system is mounted in a police vehicle that can be moved to any areas having speed-related problems.

Activation of photo radar occurs when a speeding vehicle travels through the narrow, 5 degree-wide radar beam. The beam, emitted at a 20 degree angle across the road, allows a narrow, well-defined range in which to detect speeding vehicles. If the vehicle's speed is greater than the speed set on the control unit, the camera photographs the vehicle, clearly showing the driver and front license plate. A second camera, synchronized with a speed-dependent delay, photographs the rear plate.

#### **CITIZEN INVOLVEMENT**

In 1991, a "neighborhood congress" was held in which more than 300 neighborhood leaders and interested citizens worked to identify key areas of concern related to traffic safety. Between 1992 and 1993, some 100 citizens worked to develop a community action plan entitled "Reclaiming Our Streets (ROS) Community Action Plan" that identified implementation items to address the traffic safety concerns identified at the neighborhood congress. Photo radar was a key priority identified in the Plan.

The Reclaiming Our Streets (ROS) Implementation Team, formed in 1994, has played an instrumental role in advocating for traffic safety projects. Its members played the lead role in advocating for the passage of the photo radar legislation.

during the 1995 Legislative Session. The ROS Implementation Team members formed a speakers' bureau to inform citizens throughout the city about photo radar. Their efforts contributed largely to the endorsement of photo radar by 45 neighborhood and community organizations in Portland (Appendix A). This in turn created the swell of citizen support responsible for the passage of the photo radar legislation.

Citizens have spent hundreds of hours working on the photo radar project. They wrote letters and called legislators, urging them to support this important traffic safety legislation. Citizens made several trips to Salem during the Legislative Session to testify before legislative committees.

Once the legislation was passed, citizens have remained active in the planning process. Members of the ROS Implementation Team are part of the Photo Radar Implementation Team. In addition, citizens from throughout the City have participated in the development of the Photo Radar Deployment and Evaluation Plan. And citizens continue to write and call the City with suggestions and recommendations on how photo radar should be implemented. The City keeps citizens up-to-date on the project's progress through quarterly newsletters mailed to some 700+ interested individuals, all City of Portland neighborhood associations, school principals, parent/teachers organizations, and other groups and individuals interested in traffic safety.

A public opinion survey conducted in September 1995 showed that 42% of Portland residents surveyed were familiar with photo radar. When asked about whether photo radar was an acceptable means by which to enforce speeds, 71% of the respondents felt it was acceptable to use photo radar to enforce speeds in residential areas, and 82% of the respondents felt that it was acceptable to use photo radar to enforce speeds in school zones.

#### **PHOTO RADAR DEMONSTRATION PROJECT REQUIREMENTS**

Throughout the years, many issues related to the photo radar project have been identified, discussed and resolved, the result being a clear understanding of how the project should be implemented. Citizens, as well as groups both supporting and disagreeing with the use of photo radar, have been very involved in the development of the photo radar legislation, policies and procedures.

As a result, the legislation stipulates the conditions under which photo radar can be used. The legislation, attached as Appendix B of this report, includes the following requirements:

- The Cities will undertake a public information campaign prior to the initiation of the photo radar project to inform the public of the impending use of photo radar in speed enforcement efforts.

- Photo radar will be operated out of a marked Police vehicle and staffed by a Police officer
- Photo radar will only be operated on streets in residential areas and in school zones
- A reader board displaying the speed of the vehicle will be placed within 150 feet of the photo radar vehicle
- The photo radar unit will not be operated for more than four (4) hours per day in one (1) location
- Citations signed by the issuing Police officer will be mailed to the registered owner of the vehicle within six business days
- Registered owners will have thirty (30) days to respond to the citation
- During the first thirty (30) days of photo radar deployment, only warning letters will be issued
- The Cities will prepare an evaluation of the photo radar demonstration for the 1997 Legislature. It will evaluate the effect of the project on traffic safety, the degree of public acceptance of the project, and the project's administrative processes

The ultimate goal of increased speed enforcement is to modify driver behavior so as to reduce speeding in Portland's and Beaverton's neighborhoods and school zones. The objective of this demonstration project is to introduce a fair and valid test of photo radar technology that examines its viability as a cost-effective speed enforcement tool.

#### **PROJECT IMPLEMENTATION**

The Cities are authorized to use photo radar for a two year period that begins January 1, 1996, and ends December 31, 1997. The Cities are required to provide an evaluation of the project to the 1997 Legislature. The Police will begin using photo radar in their speed enforcement efforts beginning January 1, 1996.

The Office of Transportation Bureau of Traffic Management is managing the City of Portland's photo radar project, working closely with the Portland Police Bureau's Traffic Division and the Photo Radar Project Implementation Team. The project team is comprised of representatives from the Police Bureau, the City Attorney's Office, Multnomah County Court, the Bureau of Traffic Management, and citizens from the Reclaiming Our Streets Implementation Team. The City is also working



closely with Beaverton's counterparts to ensure ongoing communication and coordination between the two cities' projects

The project team will work with the photo radar vendor to ensure all elements of the project are implemented according to the legislation, the Recommended Photo Radar Policies and Procedures, and the timelines dictated by the legislation. The Recommended Photo Radar Policies and Procedures reinforce the project's legislative requirements, and outline the type of communication and notification that will be provided to violators. The Recommended Photo Radar Policies and Procedures are attached as Appendix C of this report

#### **PUBLIC INFORMATION**

The legislation requires that the City provide a public information campaign to inform local drivers about the impending use of photo radar in speed enforcement efforts. This public information effort will attempt to reach as many citizens and local drivers as possible. Efforts may include

- radio advertisements
- public service announcements
- articles in community papers, newsletters, and other forms of media
- presentations and printed materials distributed to community, neighborhood and school organizations

#### **DEPLOYMENT OF PHOTO RADAR DURING THE DEMONSTRATION PROJECT**

The Bureau of Traffic Management and the Police Bureau's Traffic Division have worked with citizens from throughout the City to develop a plan for the deployment of photo radar during the two-year test period. The goal in developing this plan has been to determine how to most efficiently and equitably use photo radar during the test period, while at the same time providing the data required for a valid evaluation of photo radar's impact on traffic safety.

The Deployment and Evaluation Plan is attached as Appendix D of this report. The plan allows for

- Deployment of photo radar on a variety of street types and in a variety of neighborhoods and school zones throughout the city
- Deployment and reinforcement on a minimum of 10 test streets that will be monitored for up to one year.
- Deployment of photo radar with some reinforcement on approximately 100 streets per year
- Data gathering that will determine the effectiveness of photo radar in reducing speeds in neighborhoods and school zones

- Flexibility to respond to speeding problems identified by Bureau of Traffic Management, the Police Bureau, citizens, and school officials.

## **PROJECT EVALUATION**

As part of the legislation authorizing the test of photo radar, the Cities are required to conduct a process and outcome evaluation that includes the following:

- The effect of photo radar on traffic safety,
- The degree of public acceptance,
- The process of administration, and,
- Suggestions for design or planning changes that might reduce traffic congestion on residential streets or the use of these streets as thoroughfares

The process of analyzing the effect on photo radar on traffic safety is outlined in the deployment and evaluation plan. This analysis will also look at the effectiveness of traditional police enforcement, the "smart cart" and banners to determine what impact these tools have on speeding in neighborhoods and in school zones. Public opinion surveys will be conducted to assess the degree of public acceptance of photo radar. Administrative process and costs will be analyzed to determine the impact of photo radar. Based on these findings, recommendations for future speed reduction efforts will be provided to the City Council and to the 1997 Legislature.

## **INTERGOVERNMENTAL COORDINATION**

The Cities of Portland and Beaverton, and their respective citizens, worked together during the 1995 Legislature to ensure the passage of the photo radar legislation. Since the legislation's passage, representatives from the two cities have continued to work together on the implementation of the photo radar project. Recognizing that public perception and satisfaction will be a key determinant of the project's success, the Cities agreed to administer the photo radar projects as consistently, efficiently, and with as much quality assurance and sensitivity to public concerns as possible. To do this, the Cities have agreed to a unified set of policies and procedures that will guide the use of photo radar. In addition, the Cities worked jointly to develop criteria used to evaluate prospective vendors, selected one vendor to serve both cities, and intend to work closely on their public information campaigns and evaluation processes.

## **FISCAL IMPACT**

Use of photo radar will generate additional citation revenue. These revenues will be used to pay the costs associated with the photo radar project.

There are three main cost components related to the use of photo radar:

- Start-up costs (Related only to the demonstration project Includes: planning and project management, equipping a police vehicle, public information, and, project evaluation )
- Operating costs (officers, fuel)
- Vendor fees (payment to the vendor for equipment and processing services)

**Start-up Costs** — The photo radar legislation specifies how the Cities can use photo radar during the demonstration project. In addition, it requires a public information campaign and a complete project evaluation. For the duration of the demonstration project, the Bureau of Traffic Management and the Police Bureau will absorb, within existing resources, the staff costs associated with managing the overall project, implementing a public information campaign, and conducting an evaluation. Out-of-pocket costs associated with these start-up activities will be reimbursed with excess citation revenues.

**Operating Costs** — It is anticipated that it will require two officers to maintain photo radar coverage six to seven days per week. For the duration of the demonstration project, the Police Bureau will absorb these officers and associated costs within existing resources.

**Vendor Fees** — The City will hire a vendor to provide the equipment and citation processing services necessary for the project. The City will lease a vehicle and the installed photo radar and photographic equipment from the vendor. In addition, the vendor will be responsible for citation processing services that include providing and developing the film, using Department of Motor and Vehicle Services (DMV) records to identify owners, printing the citations for officers' signature, working with the Police to process citations, providing data to the courts, and, producing monthly data reports.

**Overall Impact** — Based on a series of assumptions that include number of speeding violations, number of citations paid, average citation revenue, etc., the City anticipates that the revenue received from the increased citations will cover the demonstration project's out-of-pocket start-up expenses and vendor's fees.

## VENDOR SELECTION

A photo radar vendor will provide the Cities with the photo radar vehicle, equipment, and the necessary citation processing services. The Cities of Portland and Beaverton worked together to develop a joint Request for Proposals (RFP) used to solicit photo radar service proposals from interested and qualified vendors. Over two dozen people from the Cities of Portland and Beaverton had input into the photo radar RFP process. This RFP was provided to ten companies throughout the nation.

On July 27, 1995, the Cities of Portland and Beaverton jointly released the RFP requesting photo radar services and equipment. Two vendors submitted proposals on August 22, 1995. These proposals were reviewed and evaluated according to the criteria set forth in the RFP. Both vendors were subsequently interviewed and had an opportunity to demonstrate their equipment.

As a result of the evaluation process, the photo radar evaluation team recommended US Public Technologies to provide the photo radar equipment and services for the Portland and Beaverton demonstration projects. This recommendation was based on the criteria set forth in the RFP and on the points each vendor earned for its response.

The evaluation committee was comprised of representatives from the following:

- Portland citizens (2)
- Portland Police Bureau (2)
- Multnomah County Court (1)
- Beaverton Police Department (1)
- Portland Attorney's Office (1)
- Portland Office of Transportation (1)
- Beaverton Purchasing Department (1)



CITY OF

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**PORTLAND, OREGON**


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**PORTLAND NEIGHBORHOOD & COMMUNITY ORGANIZATIONS  
 FORMALLY SUPPORTING PHOTO RADAR**

45 resolutions or letters of support as of May 31, 1995

Organizations

Alameda  
 Neighborhood Association

Ashcreek  
 Neighborhood Association

Buckman  
 Community Association

Eliot  
 Neighborhood Association

Friends of Cathedral Park  
 Neighborhood Association

Hollywood  
 Neighborhood Association

Irvington  
 Community Association

Markham  
 Neighborhood Association

Overlook  
 Neighborhood Association

Pleasant Valley  
 Neighborhood Association

Reed  
 Neighborhood Association

Roseway  
 Neighborhood Association

Sellwood-Moreland  
 Improvement League

St Johns/Cathedral Park  
 Joint Traffic Committee

University Park  
 Neighborhood Association

Ardenwald-Johnson Creek  
 Neighborhood Association

Beaumont-Wilshire  
 Neighborhood Association

Collins View  
 Neighborhood Association

Far Southwest  
 Neighborhood Association

Grant Park  
 Neighborhood Association

Hope and Hardwork

Kerns  
 Neighborhood Association

Marshall Park  
 Neighborhood Association

Pearl District  
 Neighborhood Association

Reclaiming NE 33rd  
 Coalition

Richmond  
 Neighborhood Association

Sabin  
 Community Association

Southwest Hills  
 Residential League

St Johns  
 Neighborhood Association

Willamette Pedestrian  
 Coalition  
*Equal Employment Opportunity*

Argay  
 Neighborhood Association

Bridlemule-Robert Gray  
 Neighborhood Association

Corbett-Terwilliger  
 Neighborhood Association

Forest Park  
 Neighborhood Association

Hillside  
 Neighborhood Association

Humbolt  
 Neighborhood Association

Laurelhurst  
 Neighborhood Association

Multnomah Village  
 Association

Piedmont  
 Neighborhood Association

Reclaiming Our Streets  
 Implementation Team

Rose City Park  
 Neighborhood Association

SE Precinct  
 Citizens Advisory Committee

SW Neighborhood Information Inc  
 Traffic Committee

Sullivan's Gulch  
 Neighborhood Association

Wilson  
 Neighborhood Association

**B-Engrossed**  
**Senate Bill 382**

Ordered by the House May 15  
Including Senate Amendments dated March 16 and House Amendments  
dated May 15

Sponsored by Senators BAKER, CEASE, Representatives EIGHMEY, MARKHAM

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Authorizes Beaverton and Portland to operate photo radar demonstration project. Prescribes requirements of demonstration project. Requires that project begin after January 1, 1996. Authorizes issuance of speeding citations on basis of photo radar operated by police officer to owner of vehicle with certain restrictions. Allows citation to be delivered by mail. Provides procedures for dismissing citation.

Sunset: December 31, 1997

**A BILL FOR AN ACT**

1  
2 Relating to traffic infractions

3 Whereas speeding by drivers of motor vehicles creates serious safety concerns in Oregon's local  
4 communities and is a frequently occurring driver error-related cause contributing to crashes, and

5 Whereas local governments require new tools to enforce speeding laws that they are currently  
6 unable to enforce due to lack of personnel and other hindrances, and

7 Whereas "photo radar" is a system that combines a photograph of a vehicle and its driver with  
8 a record of speed checked by radio microwaves or other electrical device staffed during operation  
9 by a police officer, and

10 Whereas the use of photo radar may enable local governments to enforce speeding laws and  
11 improved safety in local communities, and

12 Whereas this technological tool should be evaluated after actual use by selected jurisdictions  
13 in this state, now, therefore,

14 **Be It Enacted by the People of the State of Oregon**

15 **SECTION 1. (1) The following jurisdictions may, at their own cost, operate a photo radar**  
16 **demonstration project after January 1, 1996**

17 (a) City of Beaverton

18 (b) City of Portland

19 (2) Each jurisdiction operating a photo radar demonstration project in the state shall

20 (a) Provide a public information campaign to inform local drivers about the use of photo  
21 radar before citations are actually issued, and

22 (b) Conduct a process and outcome evaluation of the demonstration project for the De-  
23 partment of Transportation that includes

24 (A) The effect of the project on traffic safety,

25 (B) The degree of public acceptance of the project

NOTE: Matter in boldfaced type in an amended section is new matter. Matter in boldfaced type in existing law to be omitted. New sections are in boldfaced type.

1 (C) The process of administration of the project; and

2 (D) Suggestions for design or planning changes that might reduce traffic congestion on  
3 residential streets or use of such streets as thoroughfares

4 (3) A photo radar system operated under this section

5 (a) Shall be confined to streets in residential areas or school zones

6 (b) Shall be used for no more than four hours per day in any one location

7 (4) The Department of Transportation shall provide an executive summary of the dem-  
8 onstration projects to the Sixty-ninth Legislative Assembly

9 **SECTION 2.** (1) Notwithstanding any other provision of law, in the jurisdictions author-  
10 ized to use photo radar

11 (a) A citation for speeding may be issued on the basis of photo radar if the following  
12 conditions are met

13 (A) The photo radar equipment is operated by a uniformed police officer

14 (B) The photo radar equipment is operated out of a marked police vehicle

15 (C) An indication of the actual speed of the vehicle is displayed within 150 feet of the lo-  
16 cation of the photo radar unit

17 (D) Signs indicating that speeds are enforced by photo radar are posted, so far as is  
18 practicable, on all major routes entering the jurisdiction

19 (E) The citation is mailed to the registered owner of the vehicle within six business days  
20 of the alleged violation

21 (F) The registered owner is given 30 days from the date the citation is mailed to respond  
22 to the citation

23 (G) If the person named as the registered owner of a vehicle in the current records of  
24 the Department of Transportation fails to respond to a citation issued under this subsection,  
25 the provisions of ORS 153.555 shall apply, and a judgment may be entered for failure to ap-  
26 pear after notice has been given that the judgment will be entered

27 (b) A rebuttable presumption exists that the registered owner of the vehicle was the  
28 driver of the vehicle when the citation is issued and delivered as provided in this section

29 (c) A person issued a citation under this subsection may respond to the citation by sub-  
30 mitting a certificate of innocence or an affidavit of nonliability under subsection (3) of this  
31 section or any other response allowed by law.

32 (2) A citation issued on the basis of photo radar may be delivered by mail or otherwise  
33 to the registered owner of the vehicle or to the driver.

34 (3)(a) If a registered owner of a vehicle responds to a citation issued under subsection  
35 (1) of this section by submitting a certificate of innocence within 30 days from the mailing  
36 of the citation swearing or affirming that the owner was not the driver of the vehicle and a  
37 photocopy of the owner's driver license, the citation shall be dismissed. A person may not  
38 be prosecuted for perjury or false swearing in connection with submission of a certificate of  
39 innocence under this paragraph

40 (b) If a motor vehicle rental or leasing company responds to a citation issued under  
41 subsection (1) of this section by submitting an affidavit of nonliability within 30 days from  
42 the mailing of the citation stating that at the time of the alleged speeding violation the ve-  
43 hicle was in the custody and control of a renter or lessee under the terms of a rental  
44 agreement or lease, and if the rental or leasing company provides the driver license number,  
45 name and address of the renter or lessee the citation shall be dismissed with respect to the

1 rental or leasing company. The citation may then be issued and delivered by mail or other-  
2 wise to the renter or lessee identified in the affidavit of nonliability.

3 (4) The penalties for and all consequences of a speeding violation initiated by the use of  
4 photo radar are the same as for a speeding violation initiated by any other means.

5 (5) A registered owner or a renter or lessee against whom a judgment for failure to ap-  
6 pear is entered may move the court to relieve the owner or the renter or lessee from the  
7 judgment as provided in ORS 153.555 if the failure to appear was due to mistake,  
8 inadvertence, surprise or excusable neglect.

9 SECTION 3. This Act is repealed on December 31, 1997.  
10

---



# *PHOTO RADAR*

RECOMMENDED POLICIES AND PROCEDURES

PREPARED BY

City of Portland  
City of Beaverton  
District Court - Multnomah County

Revised October 12, 1995

The following people have been involved in the preparation and review of this document

Neilson Abeel - Reclaiming Our Streets Implementation Team  
Linda Adlard, Chief of Staff to Mayor Rob Drake - City of Beaverton  
Captain William Bennington, Portland Police Bureau - City of Portland  
Doug Bray - Multnomah County Court Administrator  
Lee Dayfield, Portland Citizen  
Kate Deane - PDOT Legislative Liaison - City of Portland  
Captain Roy Kindrick, Traffic Division - City of Portland  
Mark LeRoux - Reclaiming Our Streets Implementation Team  
Linda Meng, City Attorney - City of Portland  
Roger Morse/Jeff Barker, Portland Police Association and Oregon Council of  
Police Associations  
Joan Plank/Kelly Taylor, Driver and Motor Vehicle Services - ODOT  
Susan Schneider, Intergovernmental Affairs - City of Portland  
Goran Sparman - Bureau of Traffic Management - City of Portland  
Brandi Stewart - Photo Radar Project Manager - City of Portland  
Clarice White, Portland Citizen  
Officer Paul Wickersham, Traffic Division - City of Portland

**Through out this document, the term law enforcement agency is used to refer to the Portland Police Bureau and the City of Beaverton Police Department. The term Court refers to the Multnomah District Court and the City of Beaverton Municipal Court.**

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## PHOTO RADAR

## RECOMMENDED POLICIES AND PROCEDURES

## I OPERATION OF SYSTEM

## A Deployment of Photo Radar

- 1 Photo radar will be used only in residential areas and school zones for the period of the demonstration project
- 2 **The location for deployment of photo radar will be determined by each jurisdiction. However, it is recommended that photo radar be deployed in locations where speeding has been documented, or areas where speeding is believed to have a significant negative impact on traffic safety and/or neighborhood liveability. The following are suggested priority areas where photo radar is expected to provide maximum safety and speed reduction benefits**
  - a **School zone on a through street** Locations may be identified by traffic data, local officials, or through repeated complaints by parents and/or school representatives
  - b **Chronic speeding problem on a residential through street** Locations may be identified by traffic data, local officials, or through repeated complaints by residents

## B Operation of Photo Radar

- 1 Operation of photo radar will comply with state law
- 2 Photo radar will be staffed by and operated by a uniformed law enforcement officer certified to operate radar by the Oregon Board of Public Safety Standards and Training

## C Enforcement of Speeding Violations by Photo Radar

- 1 Law enforcement agencies will retain discretion to enforce state speed laws
- 2 Photo radar will be subject to the same operational guidelines as conventional radar

D Use of Warning Signs

- 1 Signs will be posted at major entrances to the jurisdiction operating photo radar stating, "Speed enforced by photo radar "
- 2 Signs may be placed prior to a photo radar area alerting motorists to its presence
- 3 Signs may be placed immediately after a photo radar area stating, "You have just passed through a photo radar zone "

E Use of Reader Boards

- 1 Reader Boards will be used as part of enforcement activities relating to photo radar

II CITATION/NOTIFICATION OF SPEEDING VEHICLE

A Citation and Explanatory Letter to Registered Owner

- 1 The vendor will contact the Driver and Motor Vehicle Services Branch of ODOT (DMV) to obtain the name and address of the registered owner and will prepare the citation and explanatory letter. A sample of the explanatory letter is attached as Appendix A-1
  - a During the first 30 days of photo radar operation, only warning letters will be issued. A sample warning letter is attached as Appendix A-2
- 2 A law enforcement officer shall sign the citation and explanatory letter, which will be sent by mail to the registered owner
- 3 In the case of a citation, a complaint will also be filed with the Court
- 4 If the vehicle is registered to multiple owners, the citation will be issued to the owner that most closely matches the age and gender of the driver in the photograph
- 5 Citations will not be issued to the registered owner if DMV records indicate that the vehicle has been sold

B Citation of Registered Owner-Non-local

- 1 Citations will be issued to registered owners of non-local in-state vehicles

## C Notification of Registered Owner-Business or Publicly Owned Vehicle

- 1 When the registered owner is a business or public agency a notification of violation will be sent to the registered owner. Sample letters are attached as Appendix A-3 and A-4.
- 2 The business or agency will be requested to identify the driver of the vehicle so that a warning letter may be issued. A sample identification form is attached as Appendix A-5. A sample warning letter is attached as Appendix A-6.

## D Citation of Registered Owner- Out-of-State Vehicle

- 1 Citations will be issued to out-of-state drivers identified through contact with each state's motor vehicle registration office.
- 2 Citation of out-of-state vehicles should follow practices established under existing reciprocal agreements and covenants with other states.

## E Exemptions

- 1 Citations will not be issued, nor will warning letters be sent to registered owners of marked emergency vehicles.

## III DISCOVERY AND DISMISSAL

### A Opportunity to Review Evidence

- 1 An explanatory letter shall accompany any citation issued by photo radar. The letter shall provide a toll-free telephone number to allow registered owners to schedule an appointment to review the evidence. Trained law enforcement agency staff (police officer or law enforcement agency employee) will be available by appointment to review the evidence with the registered owner and to explain the operation of photo radar.
- 2 The vendor will schedule appointments with the appropriate law enforcement agency when the registered owner requests to review the evidence. The vendor will be responsible for ensuring that the appropriate evidence is available for the appropriate law enforcement agency to review with the owner at the time of the appointment.

### B Dismissal

- 1 A Certificate of Innocence shall accompany any citation issued by photo radar. If the registered owner of the vehicle to whom the citation was

issued was not the driver of the vehicle at the time the violation occurred, the owner may sign the Certificate and mail it to the law enforcement agency that issued the citation with a photocopy of his or her driver license. A sample Certificate is attached as Appendix A-7.

- 2 The registered owner of the vehicle may also appear in person to review the photograph and may present photo identification to the law enforcement agency to show that he or she was not the driver at the time of the citation. If it is determined that the owner was not the driver, the Certificate of Innocence will be signed by the owner and photocopy of the photo identification will be taken to complete police records on the citation.
- 3 If the law enforcement agency determines that the registered owner was not the driver of the vehicle at the time of the offense, either because the owner appeared in person or submitted a signed Certificate of Innocence, the agency will request that the Court dismiss the complaint. A letter will be forwarded to the Court, signed by the Commander of the law enforcement agency's traffic unit, requesting that the listed citations be dismissed. The Court will return daily to the law enforcement agency a list of complaints dismissed based on this notification.
- 4 If the registered owner was not the driver, he/she will be requested, but not required, to identify the driver so that a warning letter may be sent to the driver. A sample letter is attached as Appendix A-6.

#### C Response Time

- 1 Registered owners will have at least thirty days from the date the citation is mailed to respond to the citation before the scheduled first appearance in Court.
- 2 Failure to appear sanctions will be initiated if the defendant has not responded or appeared in Court by the date set on the summons.
- 3 Prior to entry of any failure to appear sanctions by the Court, a notice will be sent to the registered owner indicating that sanctions will be imposed.
- 4 A registered owner against whom a failure to appear judgement is entered may seek to have the judgement dismissed if the failure to appear was due to a mistake, inadvertence, surprise or excusable neglect (ORS 153 555). In Multnomah County, by local Court rule, the registered owner must file a motion for dismissal within 90 days.
- 5 A registered owner against whom license suspension proceedings are initiated may seek to have the proceedings terminated by the Court by demonstrating good cause for the failure to appear. The Court may impose a reasonable fee for terminating a license suspension (ORS 809 220(4)).

D Retention of Evidence

- 1 Upon dismissal of the citation, the photograph, negative or image shall be destroyed as soon as practicable by the vendor
- 2 When citations are not dismissed, photographs and other documentation will be retained for the state-mandated period for traffic infraction offenses
- 3 Photographs that are introduced as exhibits in a Court hearing will be retained for the period required by the state Uniform Trial Court Rules relating to retention of exhibits for traffic infractions
- 4 If, while a photograph is being retained as a record of a speeding offense, it becomes evidence of another offense, it may be retained for that purpose pursuant to applicable state law
- 5 A photograph is not a record of a speeding offense if a citation is not issued or if an issued citation has been dismissed by the Court
- 6 For the life of the photo radar contract, the vendor will be responsible for storing all photographs and documentation relating to photo radar citations that are to be retained by the police. The law enforcement agency, the vendor and the Court will establish a retention and destruction schedule that is consistent with Section D, 1-5 of this document. All photographs and other documentation are property of the law enforcement agency that issued the photo radar citation

IV COURT APPEARANCES

A Officer Testimony

- 1 If a trial is requested, the individual officer who attended the photo radar equipment which took the photograph will appear in Court to testify



V FISCAL

A Use of Revenue-Local Government

- 1 Revenue from photo radar citations may be used to pay for the capital and operating costs of the system including personnel costs
- 2 Additional revenue, if any, will be dedicated to traffic safety programs, including enforcement, education, accident prevention and engineering efforts

B Use of Revenue-State Government

- 1 State revenue from photo radar citations will accrue to the state's General Fund and will be distributed at the discretion of the Legislature

**35456**

**APPENDICES**

35456

APPENDIX A-1

Explanatory Letter

July 14, 1994

Car Owner  
1234 Slow Lane  
Oregonville, OR 97001

RE Violation of Speed Law

Dear Car Owner

In an effort to improve traffic safety and community livability, the [jurisdiction] Police Department has implemented an automated speed enforcement program, photo radar, to monitor motor vehicle speed in our neighborhoods and school zones. The system, which combines a high speed camera and radar, records on film the violator, vehicle and surroundings, and records the observed speed, date, time and location.

A vehicle registered in your name was noted to be in violation of Oregon's speed laws. Details of the violation appear on the citation enclosed with this letter. A citation has been filed with the [jurisdiction of court]. If you do not respond to this citation by [date - 30 days from the date the citation is mailed] a judgement of conviction for the traffic violation may be entered against you and ultimately your drivers license may be suspended.

The back of the citation describes the options you have for addressing the violation if you were the driver of the vehicle. If you were not the driver of the vehicle at the time the violation occurred, you may do one of the following instead:

1. Schedule an appointment with the [jurisdiction police bureau] to establish that you were not the driver of the vehicle. To schedule an appointment call [number] between the hours of [time]. You will need to bring your drivers licence or other photo identification to the appointment. If you were not the driver at the time the offense occurred the citation against you will be dismissed.

OR

2. Fill out the Certificate of Innocence enclosed with the citation. Send the Certificate, a legible photocopy of your driver license, and the citation to [address - police department] to report that you were not the driver of the vehicle at the time of the violation.

Please direct any questions you have about this citation to [phone number].

I urge you to take care of this matter as soon as possible. Help us make Oregon's neighborhoods and school zones safe for everyone.

Sincerely,

**APPENDIX A-2**

Warning Letter - 30 Day Trial Period

July 14, 1994

Car Owner  
1234 Slow Lane  
Oregonville OR 97001

RE Violation of Speed Law

Dear Car Owner

In an effort to improve traffic safety and community livability, the [jurisdiction] Police Department has implemented an automated speed enforcement program known as photo radar to monitor motor vehicle speed in our neighborhoods and school zones. The system, which combines a high speed camera and radar, records on film the violator, vehicle and surroundings, and records the observed speed, date, time and location.

On [date] at [time] at the location of [place], a [jurisdiction] police officer equipped with a photo radar system recorded your vehicle to be in violation of Oregon's speed laws.

As part of the initial test period for photo radar, we are not issuing a citation for this violation. However we urge you to join us in making our streets safer in neighborhoods and school zones. We will begin issuing citations based on photo radar soon.

If you have any questions about this letter please call [phone].

Sincerely,

APPENDIX A-3

Notification Letter to Business

July 14, 1994

Business Owner  
1234 Commerce Lane  
Oregonville, OR 97001

RE Violation of Speed Law

Dear Business Owner

In an effort to improve traffic safety and community livability, the [jurisdiction] Police Department has implemented an automated speed enforcement program to monitor motor vehicle speed in our neighborhoods and school zones. The system, which combines a high speed camera and radar, records on film the violator, vehicle and surroundings, and records the observed speed, date, time and location.

On [date] at approximately [time] at the location of [place], a [jurisdiction] police officer equipped with a photo radar system photographed a vehicle registered to your business [license number] as it was violating Oregon's speed laws. We are requesting that you use the enclosed form to identify the driver so that we may issue a warning letter to that driver.

To help us keep Oregon's neighborhoods and school zones safe for everyone, please share the enclosed brochure with your employees. The brochure provides information regarding the need for compliance with our speed laws.

Help us keep Oregon's neighborhoods and school zones safe for everyone.

If you have any questions about this letter or want to order more brochures please call [phone].

Sincerely,

APPENDIX A-4

Notification Letter to Public Agency

July 14 1994

Public Agency Administrator  
1234 Government Lane  
Oregonville, OR 97001

RE Violation of Speed Law

Dear Administrator

In an effort to improve traffic safety and community livability, the [jurisdiction] Police Department has implemented an automated speed enforcement program to monitor motor vehicle speed in our neighborhoods and school zones. The system, which combines a high speed camera and radar, records on film the violator, vehicle and surroundings, and records the observed speed, date, time and location.

On [date] at approximately [time] at the location of [place], a [jurisdiction] police officer equipped with a photo radar system photographed a vehicle registered to your agency [license number] as it was violating Oregon's speed laws. We are requesting that you use the enclosed form to identify the driver so that we may issue a warning letter to that driver.

To help us keep Oregon's neighborhoods and school zones safe for everyone, please share the enclosed brochure with your employees. The brochure provides information regarding the need for compliance with our speed laws.

If you have any questions about this letter or want to order more brochures please call [phone].

Sincerely,

APPENDIX A-5

[Violation] Driver Identification Form

INSTRUCTIONS

- 1 Fill out the information in Section I OR Section II
- 2 Sign and date the form
- 3 Mail the form to  
[address of issuing agency]
- 4 If you have questions about this form please call [number]

-----  
As requested by your letter dated [date] I am providing the following information about the driver of the vehicle [license number] that is registered to our business/agency

**Section I:**

A According to our knowledge or records the identified vehicle was in the possession of

Driver's name \_\_\_\_\_  
Address \_\_\_\_\_

at that date and time

B \_\_\_\_\_ (name) was the only person authorized to drive that vehicle at that time

\_\_\_\_\_ YES \_\_\_\_\_ NO

**Section II:**

\_\_\_\_\_ We have no knowledge or records of who was in possession of the vehicle at that time and date

Signed \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**Administrative:**

Registered Owner  
Vehicle License Number  
Date Mailed

**APPENDIX A-6**

Warning Letter To drivers identified by Businesses, Public Agencies and Registered Owners

July 14, 1994

Driver  
1234 Slow Lane  
Oregonville, OR 97001

RE Violation of Speed Law

Dear Driver

In an effort to improve traffic safety and community livability, the [jurisdiction] Police Department has implemented an automated speed enforcement program known as photo radar to monitor motor vehicle speed in our neighborhoods and school zones. The system, which combines a high speed camera and radar, records on film the violator, vehicle and surroundings, and records the observed speed, date, time and location.

On [date] at approximately [time] at the location of [place], a [jurisdiction] police officer equipped with a photo radar system recorded a [car description] licence number [number] to be in violation of Oregon's speed laws. The owner of this vehicle has identified you as the driver at the time of the violation. We are not issuing a citation to you for this violation. However we urge you to join us in making streets safer in residential areas and school zones.

If you have any questions about this letter please call [phone]

Sincerely,



APPENDIX A-7

Certificate of Innocence

INSTRUCTIONS

If you were not the driver of the vehicle at the time and location described in citation [number], you may fill out the Certificate of Innocence form below

- 1 Read and fill out the Certificate
- 2 Photocopy your driver license (front and back) and attach the photocopies to the Certificate
- 3 Mail the Certificate and the photocopies to

[Address]

- 4 If you have questions about this form or your citation please call [number]

IMPORTANT NOTE

The jurisdiction issuing this citation may verify the Certificate by comparing the photo radar photograph with your driver license photograph

Certificate of Innocence

I swear under the penalties of perjury of the State of Oregon, that I was not the driver of the [description of car] license number [number] when it was detected speeding on [date] at approximately [time] at the location of [place]

Check one

- I no longer own the car New owner's name (if known) \_\_\_\_\_
- Another co-owner was driving the vehicle
- Another person was driving the vehicle

If you were not the driver at the time of the offense you are requested to provide the information in the following section about the driver so that we may send them a warning letter

Driver's name \_\_\_\_\_  
Address \_\_\_\_\_

I understand that

- 1 On the basis of this Certificate, citation [number] against me will be dismissed,
- 2 Random verification may be conducted to substantiate the information provided on this form

Signed \_\_\_\_\_ Date \_\_\_\_\_

**Administrative**  
Registered Owner  
Vehicle License Number  
Date Mailed

**PHOTO RADAR  
EVALUATION AND  
DEPLOYMENT PLAN**

---

**CITY OF PORTLAND**

October 18, 1995

Prepared for  
City of Portland  
Portland Office of Transportation & Police Bureau

**PHOTO RADAR DEPLOYMENT COMMITTEE**

Revised October 18, 1995

Neilson Abeel, Reclaiming Our Streets Implementation Team  
Stacy Bluhm, Traffic Management, City of Portland  
Rob Burchfield, Traffic Management, City of Portland  
Kay Collier, Outer East Portland  
David Denecke, Northwest Portland  
Frances Escola, Northeast Portland  
Captain John Hren, Traffic Division, Portland Police Bureau  
Mark LeRoux, Reclaiming Our Streets Implementation Team  
Diane Rebagliati, Central Northeast Portland  
Brandi Stewart, Office of Transportation, City of Portland  
Rita Weatherholt, Southeast Portland  
Clarice White/Derry Jackson, North Portland  
Officer Paul Wickersham, Traffic Division, Portland Police Bureau  
Barbee Williams, Southwest Portland

# RESOLUTION No. 35456

Approve the Photo Radar Demonstration Project Report and authorize the Bureau of Traffic Management and the Bureau of Police to implement the Photo Radar Demonstration Project (Resolution)

WHEREAS, the City of Portland is committed to ensuring a safe and livable community for its residents, and traffic safety is an integral part of community livability, and

WHEREAS, the citizens of Portland are concerned about speeding traffic in neighborhoods and school zones and speeding is one of the biggest traffic-related complaints in the City, as demonstrated by the more than 400 speeding complaints received annually by the Bureau of Traffic Management, and

WHEREAS, the City has implemented educational programs and engineering solutions to encourage drivers to slow down, but lacks sufficient enforcement resources to adequately address speeding problems, and

WHEREAS, the citizens of Portland identified the use of photo radar as a speed enforcement tool as a priority in the Reclaiming Our Streets Community Action Plan, and

WHEREAS, the 1995 Oregon State Legislature authorized a 2-year test of photo radar in the Cities of Portland and Beaverton commencing January 1, 1996, and ending December 31, 1997, and

WHEREAS, the City's bureaus have worked with citizens and other constituents to develop policies, procedures, and an implementation plan for photo radar that will allow the demonstration project to be implemented equitably and efficiently, according to the requirements of the legislation

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Portland, Oregon, that the City accepts the Photo Radar Demonstration Project Report, including the recommended Policies and Procedures and the Deployment and Evaluation Plan (attached as Exhibit A)

BE IT FURTHER RESOLVED, by the Council of the City of Portland, Oregon, that the City directs the Bureau of Traffic Management and the Bureau of Police to proceed with the implementation of the Photo Radar Demonstration Project

**ADOPTED** by the Council, **OCT 25 1995**  
Mayor Vera Katz  
Commissioner Earl Blumenauer  
Brandi Stewart/Roy Kindrick/emd  
October 25, 1995

**BARBARA CLARK**  
Auditor of the City of Portland  
By *Britta Olson* Deputy

1703

TC 1.32  
0145

Agenda No

RESOLUTION NO. **35456**

Title

Approve the Photo Radar Demonstration Project Report and authorize the Bureau of Traffic Management and the Bureau of Police to implement the Photo Radar Demonstration Project. (Resolution)

<b>INTRODUCED BY</b>	<b>DATE FILED</b>
Mayor Vera Katz Commissioner Earl Blumenauer	<b>OCT 19 1995</b>
<b>NOTED BY COMMISSIONER</b>	<b>Barbara Clark</b> Auditor of the City of Portland
<b>Affairs</b>	By <u>Cay Kershner</u> Deputy
<b>Finance and Administration</b> <i>Vera Katz AD</i>	For Meeting of _____
<b>Safety</b>	<b>ACTION TAKEN.</b>
<b>Utilities</b>	
<b>Works</b> <i>EB/jp</i>	
<b>BUREAU APPROVAL</b>	
<b>Bureau</b> Traffic Management	
<b>Prepared by</b> <b>Date</b>	
Brandi Stewart      10/18/95	
<b>Budget Impact Review</b>	
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not Required	
<b>Bureau Head.</b> <i>Goran G Sparrman</i> Goran G Sparrman, Director	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS	
			YEAS	NAYS
Consent	Regular <input checked="" type="checkbox"/>	Blumenauer	✓	
<b>NOTED BY</b>		Hales	✓	
City Attorney		Kafoury	✓	
City Auditor		Lindberg	—	—
City Engineer		Katz	✓	