



City of Tukwila

Washington

Ordinance No. 2612

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, ADOPTING A NEW CHAPTER OF THE TUKWILA MUNICIPAL CODE AUTHORIZING THE USE OF AUTOMATED TRAFFIC SAFETY CAMERAS IN SCHOOL ZONES, AND ADOPTING STANDARDS RELATED THERETO, TO BE CODIFIED AS TUKWILA MUNICIPAL CODE CHAPTER 9.53; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, reduced speeds in school zones help decrease the likelihood of an accident in areas with an increase in school-related pedestrian and vehicular traffic; and

WHEREAS, the City of Tukwila desires to improve traffic safety and pedestrian safety throughout the City with emphasis on school speed zones; and

WHEREAS, the Washington State Legislature has adopted Chapter 46.63 RCW, which authorizes local jurisdictions to use automated traffic safety cameras in school speed zones, subject to some limitations; and

WHEREAS, in accordance with RCW 46.63.170(1)(a), the City has prepared an analysis of the locations where automated traffic safety cameras are proposed to be located;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Chapter 9.53 of the Tukwila Municipal Code Established. A chapter of the Tukwila Municipal Code entitled "Automated Traffic Safety Cameras in School Zones," to be codified as Tukwila Municipal Code (TMC) Chapter 9.53, is hereby established to read as follows:

CHAPTER 9.53
AUTOMATED TRAFFIC SAFETY CAMERAS IN SCHOOL ZONES

Sections:

- 9.53.010 Automated traffic safety cameras – Detection of violations – Restrictions
- 9.53.020 Notice of infraction
- 9.53.030 Prima facie presumption
- 9.53.040 Infractions processed
- 9.53.050 Fine
- 9.53.060 Nonexclusive enforcement

Section 2. Regulations Established. TMC Section 9.53.010, “Automated traffic safety cameras – Detection of violations – Restrictions,” is hereby established to read as follows:

9.53.010 Automated traffic safety cameras – Detection of violations – Restrictions

A. City law enforcement officers and persons commissioned by the Tukwila Police Chief are authorized to use automated traffic safety cameras and related automated systems to detect and record the image of vehicles engaged in school speed zone violations; provided, however, pictures of the vehicle and the vehicle license plate may be taken only while an infraction is occurring, and the picture shall not reveal the face of the driver or of any passengers in the vehicle.

B. Each location where an automated traffic safety camera is used shall be clearly marked by signs placed in locations that clearly indicate to a driver that the driver is entering a zone where traffic laws are enforced by an automated traffic safety camera.

C. “Automated traffic safety camera” means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs or electronic images of the rear of a motor vehicle at the time the vehicle exceeds a speed limit in a school zone as detected by a speed measuring device.

Section 3. Regulations Established. TMC Section 9.53.020, “Notice of infraction,” is hereby established to read as follows:

9.53.020 Notice of infraction

A. Whenever any vehicle is photographed by an automated traffic safety camera, a notice of infraction shall be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter’s name and address. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

B. If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction is issued, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the agency by return mail: (1) a statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or (2) a statement under oath that the business is unable to determine who was driving or renting the vehicle when the infraction occurred; or (3) in lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty. Timely mailing of this statement to the agency shall relieve the rental car business of any liability under this chapter for the infraction.

C. The law enforcement officer issuing a notice of infraction shall include with it a certificate or facsimile thereof, based upon the inspection of photographs, microphotographs or electronic images produced by an automated traffic safety camera, citing the infraction and stating the facts supporting the notice of infraction. This certificate or facsimile shall be prima facie evidence of the facts contained in it and shall be admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction.

D. The registered owner of a vehicle is responsible for an infraction detected through the use of an automated traffic safety camera unless the registered owner overcomes the presumption set forth in TMC Section 9.53.030, or, in the case of a rental car business, satisfies the conditions under TMC Section 9.53.020.B. If appropriate under the circumstances, a renter identified under TMC Section 9.53.020.B is responsible for an infraction.

E. All photographs, microphotographs or electronic images prepared under this chapter are for the exclusive use of law enforcement in the discharge of duties under this chapter and, as provided in RCW 46.63.170(1)(g), they are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this chapter. No photograph, microphotograph or electronic image may be used for any purpose other than enforcement of violations under this chapter nor retained longer than necessary to enforce this chapter.

Section 4. Regulations Established. TMC Section 9.53.030, "Prima facie presumption," is hereby established to read as follows:

9.53.030 Prima facie presumption

A. In a traffic infraction case involving an infraction detected through the use of an automated traffic safety camera under this chapter, proof that the particular vehicle described in the notice of traffic infraction was involved in a school speed zone violation, together with proof that the person named in the notice of infraction was at the time of the violation the registered owner of the vehicle, shall constitute in evidence a prima

facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

B. This presumption may be overcome only if the registered owner, under oath, states in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody or control of some person other than the registered owner.

Section 5. Regulations Established. TMC Section 9.53.040, "Infractions processed," is hereby established to read as follows:

9.53.040 Infractions processed

Infractions detected through the use of automated traffic safety cameras shall be processed in the same manner as parking infractions.

Section 6. Regulations Established. TMC Section 9.53.050, "Fine," is hereby established to read as follows:

9.53.050 Fine

The fine for an infraction detected under authority of this chapter shall be a base monetary penalty of \$136.00; and provided further, that whenever, in the future, the state of Washington increases the fine imposed under this chapter, by legislation or court rule, the City's fine shall be increased to a like amount upon the effective date of such legislation or court rule.

Section 7. Regulations Established. TMC Section 9.53.060, "Nonexclusive enforcement," is hereby established to read as follows:

9.53.060 Nonexclusive enforcement

Nothing in this chapter prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1)(a), (b) or (c).

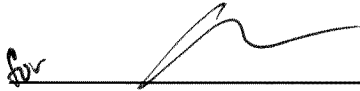
Section 8. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 9. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

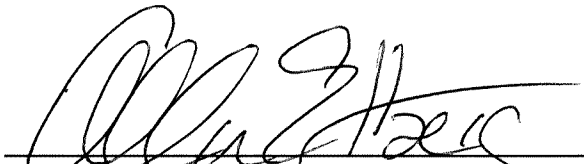
Section 10. Effective Date. This ordinance or a summary thereof shall be published in the official newspaper of the City and shall take effect and be in full force five days after passage and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Regular Meeting thereof this 5th day of August, 2019.

ATTEST/AUTHENTICATED:



Christy O'Flaherty, MMC, City Clerk



Allan Ekberg, Mayor

APPROVED AS TO FORM BY:



Rachel B. Turpin, City Attorney

Filed with the City Clerk: 7-31-19
Passed by the City Council: 8-5-19
Published: 8-8-19
Effective Date: 8-13-19
Ordinance Number: 2612



INFORMATIONAL MEMORANDUM

TO: Public Safety Committee

FROM: Bruce Linton, Chief of Police

BY: Bill Devlin, Sergeant Traffic Division

CC: Mayor Ekberg

DATE: 07/10/2019

SUBJECT: Automated Safety Camera Pilot Project Presentation

ISSUE

Increase public safety on the city roadways through enforcement and education using automated red-light cameras.

BACKGROUND

The most prevalent complaint from our residents is speeding on our arterials, neighborhoods and school zones. Our small traffic unit has a difficult time keeping up with the increased calls for enforcement. Using automated safety cameras can increase efficiencies in the areas of traffic enforcement, education and the overall traffic and pedestrian safety within our city. Studies have shown that red light and speed zone cameras will make the city streets safer by reducing red light running and school speed-zone violations. Automated safety cameras are currently used in King, Pierce, Snohomish, Spokane, and Chelan counties. In King County, there are programs in Bellevue, Des Moines, Federal Way, Issaquah, Kent, Lake Forrest Park, Mercer Island, Renton, and Seattle.

ANALYSIS

Red Light Cameras: Red light running nationally causes hundreds of deaths, tens of thousands of injuries and billions of dollars in property damage. A driver runs a red light about every 20 minutes and more frequently during peak times. Studies show that automated safety cameras have reduced red light running, which in turn reduces the potential serious injury right angle collisions. They educate the public and that education has a spillover effect to the non-camera intersections. They will assist with increased traffic flow and increase the safety of police officers. The camera systems will assist with better tracking of intersection statistics such as traffic flows, number of vehicles, peak hours of the days, number of collisions, and tickets issued in these intersections. They will provide more efficient service with no immediate additional FTE's. The police, prosecutor, city attorney, public works, the Tukwila municipal court and the Tukwila school board support the program. Studies show that nationally a high percentage of the public is in favor of automated red-light cameras and the Tukwila Police Department has reached out at community meetings and through social media to garner support in our area:

- Public Safety Committee
- Tukwila School Board
- Community Oriented Police Citizens Advisory Board
- Tukwila International Boulevard Action Committee
- Tukwila Reporter Newspaper
- Hazelnut Publication
- City of Tukwila Website linked to Police Department Website

Proposed Intersections: The proposed intersections for the pilot project were analyzed using collision data, projected violations, layout and potential design difficulty for the cameras system placement. The following proposed intersections are as follows: Boeing Access at Martin Luther King Jr (Southbound and Eastbound - WSDOT), Southcenter Parkway at Strander Blvd (Northbound and Westbound), and Grady at Interurban Ave South (Eastbound and Westbound - WSDOT). Companies such as ATS and Sensys have worked with WSDOT in coordinating installation at intersections. The Red-Light vendors will do the installations, which is the normal business model. Signage is required by the RCW and the City will install and maintain them at their expense (vendors will provide the technical assistance with the recommending placement). The cameras have a minimal power draw and will utilize existing power. If power is not available, the vendor will bring power in and that power will then be available for other city users. These requirements are all part of the contractual agreement.

The proposed Red-Light Safety Camera intersection collision statistics 2014-2016

- Boeing Access Road at MLK Jr Way S.
 - 21 collisions
 - 0 fatalities
 - 2 right-angle collisions with no injuries reported
 - 5 sideswipes
 - 13 rear-end collisions
 - 1 collision with a fixed object



- Southcenter Parkway at Strander Blvd
 - 34 collisions
 - 0 fatalities
 - 5 right-angle collisions with 2 injuries
 - 15 sideswipes
 - 9 rear-end collisions
 - 5 collisions with fixed objects



- Grady and Interurban Ave S.
 - 24 collisions
 - 1 fatality
 - 5 right-angle collisions with 5 injuries
 - 9 rear-end collisions
 - 10 collisions with fixed objects

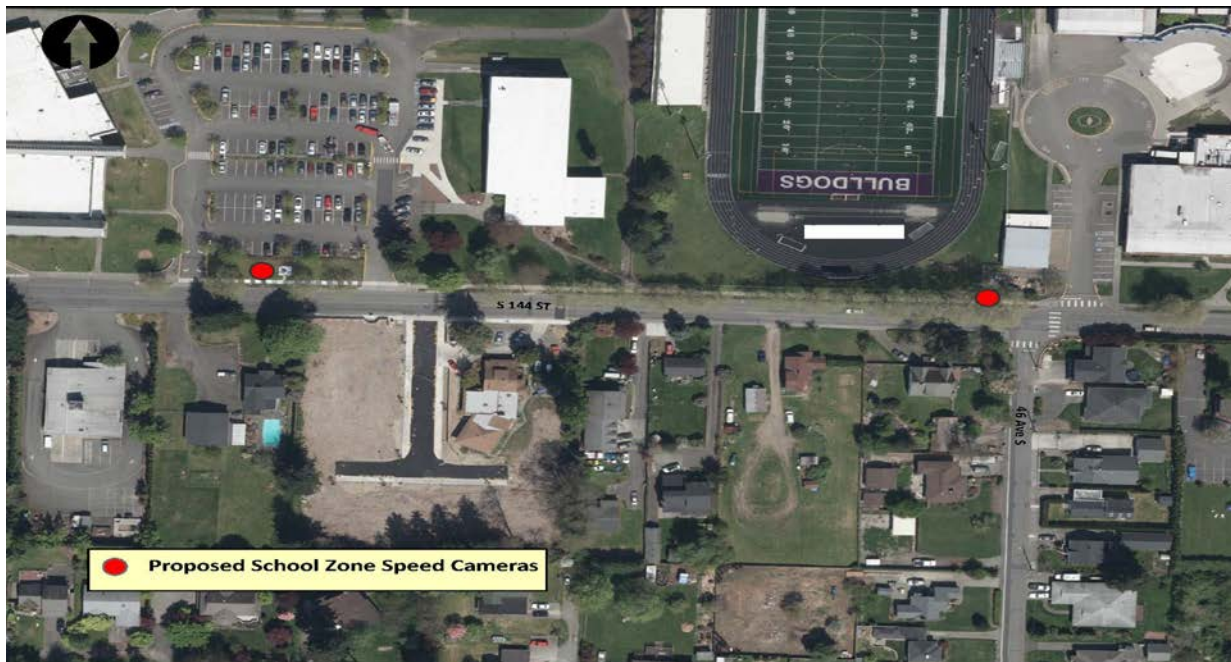


The Need for School Speed Zone Cameras: In Washington State, school zones are posted at 20 mph, recognizing the high volume of juvenile pedestrian traffic and inherent congestion and conflicts in the vicinity of our schools. Despite mitigation efforts between Public Works and the Police Department, individual drivers continue to speed through our school zones, creating concerns among citizens. As a result of these concerns, additional measures in the form of automated enforcement is recommended to remind drivers of the increased presence of school-aged children during school hours. The speed limit signs, flashing (radar) speed measuring signs, crosswalks and other warning signs/controls themselves have been ineffective.

School Zone Info:

- Reports show that crashes including pedestrians are eight times more likely to result in death than those not involving pedestrians.
- That likelihood is greatly impacted by the speed at which the car is traveling.
- Someone under the age of 30 years old only has a 3% chance of being killed by a vehicle traveling 20 mph and that risk increases to 13% at 30 mph.
- The risk increases rapidly from, reaching about 52% when the vehicle speed is 45 mph.
- Slower vehicle speeds mean a pedestrian has a greater chance of survival if hit, which is the benefit of a school speed zone.

Proposed School Speed-Zone Camera Location: The data presented below is the basis for the location of the school speed-zone camera pilot program on South 144th Street in the vicinity of Foster High School and Showalter Middle School. The two cameras (Westbound and Eastbound) would be located between the 4200 and 4600 blocks of the school zone (see the attached diagram). The police department in coordination with public works, conducted an updated study of speeds during school hours in the area of Foster High School and Showalter Middle School. The updated speed analysis over a three-week period shows compelling data to support the recommended automated enforcement.



All data was collected during the times when children were present considering the off-set times of arrival and departures between Showalter Middle School and Foster High School:

- Arrival - 7:30AM to 9:00AM
- Departure - 2:00PM - 3:30PM

During the week of **March 25, 2019 to March 29, 2019**, we looked at violator speeds between 25-45 mph during this time period. As a reminder, the posted speed limit is 20mph. A breakdown of the numbers eastbound and westbound are depicted below:

Radar Speed Measuring Device - Without Flashing Speed Notification			
Direction of Travel on S. 144th	Travel Times - Children Present	Total Number of Vehicles	Violators Speeds 25 - 45 mph
Eastbound	7:30AM - 9:30AM	1,397	320
Westbound	7:30AM - 9:30AM	1,576	477
Eastbound	2:00PM - 3:30PM	1,625	568
Westbound	2:00PM - 3:30PM	1,729	776
Total		6,327	2,141

Here is what we saw when we analyzed driving behaviors from **April 1, 2019 to April 5, 2019** when we activated the flashing speed notifications on the speed measuring devices. There was a significant reduction of violators between 25-40 mph

Radar Speed Measuring Device - With Flashing Speed Notification Activated			
Direction of Travel on S. 144th	Travel Times - Children Present	Total Number of Vehicles	Violators Speeds 25 - 40 mph
Eastbound	7:30AM - 9:30AM	1,422	341
Westbound	7:30AM - 9:30AM	1,417	344
Eastbound	2:00PM - 3:30PM	1,713	500
Westbound	2:00PM - 3:30PM	1,634	566
Total		6,186	1,751

Here is what we saw when we analyzed driving behaviors between **April 22, 2019 to April 26, 2019**, several weeks after the radar speed devices were continuously notifying drivers of their speed. The violations increased over time.

Radar Speed Measuring Device - With Flashing Speed Notification			
Direction of Travel on S. 144th	Travel Times - Children Present	Total Number of Vehicles	Violators Speeds 25 - 40 mph
Eastbound	7:30AM - 9:30AM	1,422	376
Westbound	7:30AM - 9:30AM	1,487	385
Eastbound	2:00PM - 3:30PM	1,713	564
Westbound	2:00PM - 3:30PM	1,642	587
Total		6,264	1,912

PUBLIC RECORDS REQUESTS AND RETENTION

Public records requests are forwarded to the City and the City can request needed information from the selected vendor. Images must be retained and accessible up through the exhaustion of the appeals process and then destroyed. The police department does not have a specific policy related to the retention of automated traffic safety cameras or notice of infractions issued since the Washington State law enforcement records retention schedule dictates our retention schedule.

<i>The activity of enforcing laws and ordinances and citing violations (including traffic, non-traffic and vessel or vehicle-related violations).</i>			
DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
LE2010-052 Rev. 0	<p>Automated Traffic Safety Cameras – Citation or Notice of Infraction Issued Images captured by automated traffic safety cameras which have resulted in the issuance of a citation or notice of infraction.</p>	<p>Retain until exhaustion of appeals process then Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>
LE2010-053 Rev. 0	<p>Automated Traffic Safety Cameras – Citation or Notice of Infraction Not Issued Images captured by automated traffic safety cameras which have not resulted in the issuance of a citation or notice of infraction.</p>	<p>Retain until verification that no infraction has been captured then Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>
LE2010-054 Rev. 0	<p>Automatic License Plate Recognition Images – Case-Specific Images of vehicle license plates captured by automatic license plate imaging equipment and which do contain images significant to case investigations or court proceedings.</p>	<p>Retain until exhaustion of appeals process then Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>
LE2010-055 Rev. 0	<p>Automatic License Plate Recognition Images – Not Case-Specific Images of vehicle license plates captured by automatic license plate imaging equipment and which do not contain images significant to case investigations or court proceedings.</p>	<p>Retain until verification that a significant image has not been captured then Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>

VENDOR SELECTION

The police department has drafted an RFP to select a suitable vendor. The review and selection process will incorporate criteria based on experience and a broad level of service focused on past successes in other jurisdictions.

FINANCIAL IMPACT

Considering normal red light and school zone cameras vendor business models, there is no upfront cost. The equipment is leased from the vendor, and the per camera, per-month charge quoted is estimated at \$4,500.00 to \$5,000.00. These programs are self-funding (two citations per day per camera will mitigate the lease costs) and vendors normally require a three to five-year contract to actualize their return on investment. The per year contractual cost would be approximately \$480,000.00.

RECOMMENDATION

Forward to Council for consideration and approval of the proposal of the three-year pilot program proposal for the red light cameras and the school speed zone cameras with the corresponding ordinances at the July 22, 2019 Committee of The Whole Meeting and subsequent August 5, 2019 Regular Meeting.

Further, I recommend a phased process for the implementation which affords the Council an opportunity to off ramp at various junctures prior to an actual contract being signed. This affords the department to work through the multiple steps required to ensure a successful program implementation.

SUPPLEMENTAL INFORMATION REQUESTED

At the end of the October 22, 2018 meeting, the council requested additional information/responses to several questions. Responses to the inquiries are outlined below:

1. Pictorial representations of the three intersections showing the approximate locations of the cameras are included in the memo.
2. Per the RCW 46.63.170 (d), Cameras can only take a picture of the vehicle plate and not the driver or the interior of the violating vehicle.
3. Use of revenue after program costs for cameras and other equipment, are normally used for traffic safety programs or initiatives.
4. Photos and video are maintained in the vendor cloud and regulated by The Tukwila Police Department based on our requirements. This is no different from In-Car Camera or Body-Camera video maintained by Axon Evidence.com. Images and video are available through the PDR process facilitated by the police department.
5. Retention policies associated with video and photo enforcement are regulated by the WA State Retention Schedule for Law Enforcement.
6. The police department will set a minimum time of 90 days for general retention not associated with an appeals process or case investigations or proceedings. The latter will abide by the WA State retention policy.

7. Additional information requested regarding school speed zone cameras show the following:

- They measure violators speed during designated school or school activity hours
- They are treated the same as red light cameras as far as retention and processing
- The fines can be higher based on the violators speed measured over the posted limit

ADDITIONAL QUESTIONS POSTED

The traffic camera proposal and ordinance were sent back to committee and at the December 3, 2018 Committee Meeting, and Chair Hougardy asked several questions. The questions with answers are listed below:

What is fine in school zones?

If a traffic officer writes you a ticket (RCW 46.61.440 it would be the following schedule:

- * 0-5 MPH \$214.00
- * 6-10 MPH \$234.00
- * 11-15 MPH \$296.00
- * 16-20 MPH \$378.00
- * 21-25 MPH \$480.00
- * 26-30 MPH \$583.00
- * 31-35 MPH \$685.00
- * 36+ MPH \$808.00

Photo Enforcement

- * School zone speed camera violation
- * 0-10 MPH \$210.00
- * 11+ MPH \$240.00
- * Red light camera violation \$139.00
- * Fines set by RCW 46.63.170, RCW 46.63.110

What times will the cameras be operational?

* Usually an hour before and two hours after school to include special school events when children are present. The times can be changed; however, these changes are supported by proper signage and flashing lights advising driver's that the cameras are in operation. The police department will collaborate with the school district to publish and establish times of operation for the flashing signs.

At what Speed limits would the fines be enforced? Can these be changed? If so, who makes the decision and how are others notified?

* RCW dictates, police have discretion. The police department recommended threshold is 26 miles per hour.

Where would the cameras be placed?

* Between Foster High School and Showalter Middle School

When was the study in the referenced presentation conducted?

We work closely with public works and are constantly gathering data, we just bought additional 8 speed/data gathering signs. The latest study/information gathered in the school zone (east and west bound S 144th Street between FHS and Showalter) was collected between March 25 through April 26, 2019.

Will the tickets be reported to insurance companies?

* No, automated enforcement tickets are treated like parking tickets and are not reportable and do not accumulate points.

What other types of mitigation are available and are they being considered?

* Public Works have added crosswalk signs in the middle of the roadway in the 4600 block of S. 144th Street, speed data/notification signs will remain in place, other speed notification and the required speed zone enforcement notification signs will be in place. There are no other traffic calming plans at this time, because plans such as pinch points, traffic circles, traffic islands, and/or speed bumps would require major construction and additional funds.

What other cities have school speed zone cameras, and have they been removed and why?

* The surrounding jurisdictions have school zone cameras and are only increasing their programs as they are quite effective to reduce speeding in the school zones. Seattle has 120 school zone cameras, Renton, Tacoma, and Des Moines all have school speed zone cameras and red light cameras, just to name a few. Tacoma has the only state's speed zone camera as of this writing.

What kind of public outreach, if any, is planned before consideration of passing the ordinance?

* Social media, community meetings (COPCAB, TIBAC).

What kind of outreach to the school board and school district, if any, is planned before consideration of passing the ordinance?

* Chief Linton and Sergeant Devlin met with the Tukwila School District Superintendent on January 7, 2019 and discussed the upcoming proposal.

Chief Linton met and briefed the school board on Jan 8, 2019 and is working with the School District Communications Officer for dissemination throughout the district to include parents and student drivers. In June 2019, Tukwila public information officer, in collaboration with the

Tukwila School District launched an information campaign via social media to school district employees, students and parents regarding the proposed school zone cameras. On July 9, 2019 Chief Linton updated the Tukwila School Board on the results of the updated speed analysis in the vicinity of Foster High School and Showalter Middle School and garnered support for the pilot program.

How will the fines associated with school speed-zone cameras impact citizen ability to pay the associated fines?

Judge Walden spoke to the ability of individuals to mitigate fines associated with automated enforcement. She spoke to the possibility of reduction of fines based on the ability to pay and other alternatives such as community service. It should be noted that the level of mitigation associated with automated enforcement is not available for violations witnessed by an officer.

ATTACHMENTS

Original PowerPoint with supplemental information to the info memo
Public Safety Committee Meeting Minutes, Dec 3, 2018.
Tukwila School District & School Board Communication
Police Department Communications and Frequently Asked Questions Shared with the Public
Red Light Camera Ordinance
School Speed Zone Camera Ordinance
RCW 46.63.170

Automated Safety Cameras - Agenda

- Background
- Analysis - Red Light Cameras
- Proposed Red Light Camera Locations
- Analysis - School Speed-Zone Cameras
- Proposed - School Speed Zone Camera Locations
- Retention
- Vendor Selection
- Financial Impact
- RCW 46.63.170
- Strategic Communications (Frequently Asked Questions)
- Proposed Timeline
- Associated Ordinances

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Automated Safety Cameras

- **Background**
 - The most prevalent complaint from our residents is speeding on our arterials, neighborhoods and school zones.
 - Our small traffic unit has a difficult time keeping up with the increased call for enforcement.
 - Using automated safety cameras can increase efficiencies in the areas of traffic enforcement, education and the overall traffic and pedestrian safety within our city.
 - Studies have shown that red light and speed zone cameras will make the city streets safer by reducing red light running and school speed-zone violations.
 - Automated Safety Cameras are currently used in King, Pierce, Snohomish, Spokane, and Chelan counties. Here in King County, there are programs in Bellevue, Des Moines, Federal Way, Issaquah, Kent, Lake Forrest Park, Mercer Island, Renton, and Seattle.

Red-Light Cameras -Analysis

- Red light running nationally causes hundreds of deaths, tens of thousands of injuries and billions of dollars in property damage.
- A driver runs a red light about every 20 minutes and more frequently during peak times.
- Studies show that automated safety cameras have reduced red light running, which in turn reduces the potential serious injury right angle collisions.
- They educate the public and that education has a spillover effect to the non-camera intersections.
- They will assist with increased traffic flow and increase the safety of police officers.

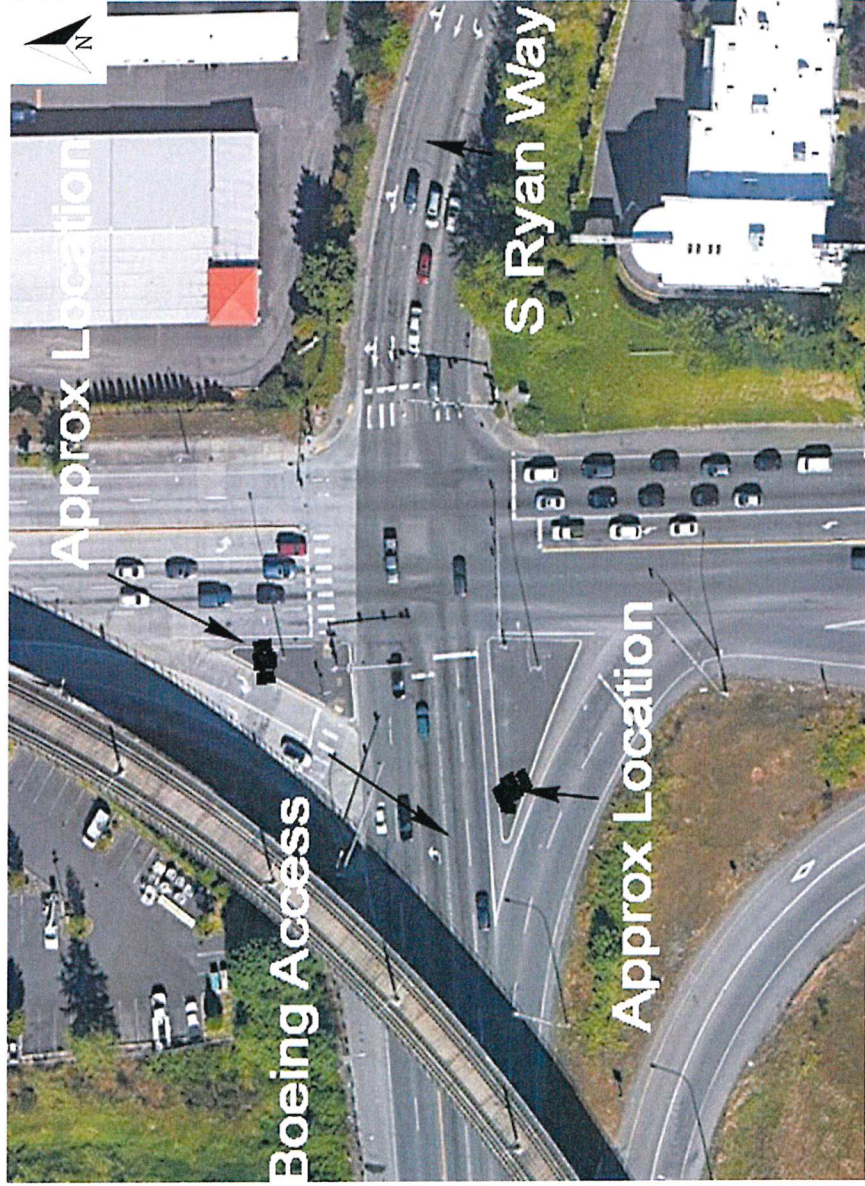
Community Outreach

- Portions of the general public remain skeptical regarding the overall purpose of Automated Enforcement as evident from some of our feedback
 - A significant portion of Tukwila residents impacted by the speeding in city have been supportive
 - Nationally, studies show that a high percentage of the public is in favor of automated red-light cameras and the
 - Tukwila Police Department has reached out at community meetings and through social media to garner support in our area:
- Public Safety Committee
 - Tukwila School Board
 - Community Oriented Police Citizens Advisory Board
 - Tukwila International Boulevard Action Committee
 - Tukwila Reporter Newspaper
 - Hazelnut Publication
 - City of Tukwila Website linked to Police Department Website

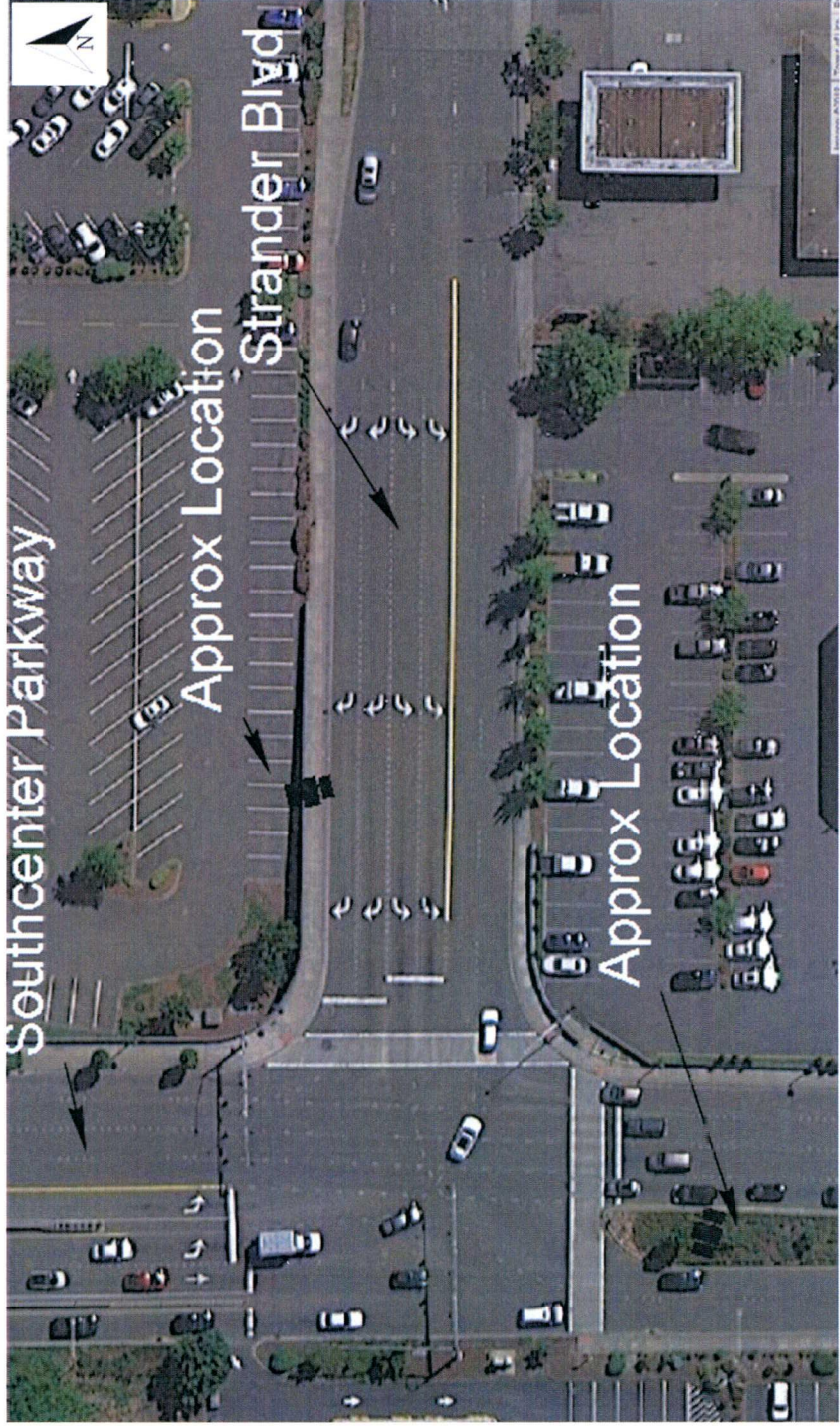
Proposed Red Light Camera Intersections Collision Stats 2014-2016

- **Boeing Access Road at MLK Jr Way S**
 - 21 collisions:
 - 0 Fatalities
 - 2 right angle w/no injuries reported
 - 5 sideswipes
 - 13 rear-enders
 - 1 fixed object
- **Grady and Interurban Ave S**
 - 24 Collisions:
 - 1 Fatality
 - 5 Right angle w/5 injuries
 - 9 Rear-enders
 - 10 Fixed objects
- **Southcenter Parkway at Strander Blvd**
 - 34 collisions:
 - 0 Fatalities
 - 5 right angle w/2 injuries
 - 15 sideswipe
 - 9 rear-enders
 - 5 fixed objects

*Approximate Locations of Red-Light Cameras MLK
At Boeing Access*



*Approximate Location of Red-Light Cameras for
Southcenter Parkway at Strander Blvd*



Approximate Locations of Red-Light Cameras Grady and Interurban Ave S



School Speed-Zone Camera Analysis

- In Washington State, school speed zones are posted at 20 mph
- Despite mitigation efforts between Public Works and the Police Department, individual drivers continue to speed through Tukwila school zones, creating concerns among citizens.
- Other mitigation methods; speed limit signs, flashing (radar) speed measuring signs, crosswalks and other warning signs/controls themselves have been ineffective.

The Need for School Speed-Zone Cameras

- The unfortunate reality is there are many ways that tragedy can strike when you combine vehicle traffic, particularly high-speed traffic, and high-volumes of young pedestrians.
- Speed limit signs by themselves tend to be relatively ineffective. Flashing signage is recommended for indicating school speed zones during the active school hours.
- Other possible counter measures to speeding in school zones can include speed humps, raised pedestrian crossings, intersection or mid-block bump-outs, or using crossing guards.

School Speed-Zone Camera Analysis

- Reports show that crashes including pedestrians are eight times more likely to result in death than those not involving pedestrians.
- That likelihood is greatly impacted by the speed at which the car is traveling.
- Someone under the age of 30 years old only has a 3% chance of being killed by a vehicle traveling 20 mph and that risk increases to 13% at 30 mph.
- The risk increases rapidly from, reaching about 52% when the vehicle speed is 45 mph.
- Slower vehicle speeds mean a pedestrian has a greater chance of survival if hit, which is the benefit of a school speed zone.

Proposed School Speed-Zone Camera Locations



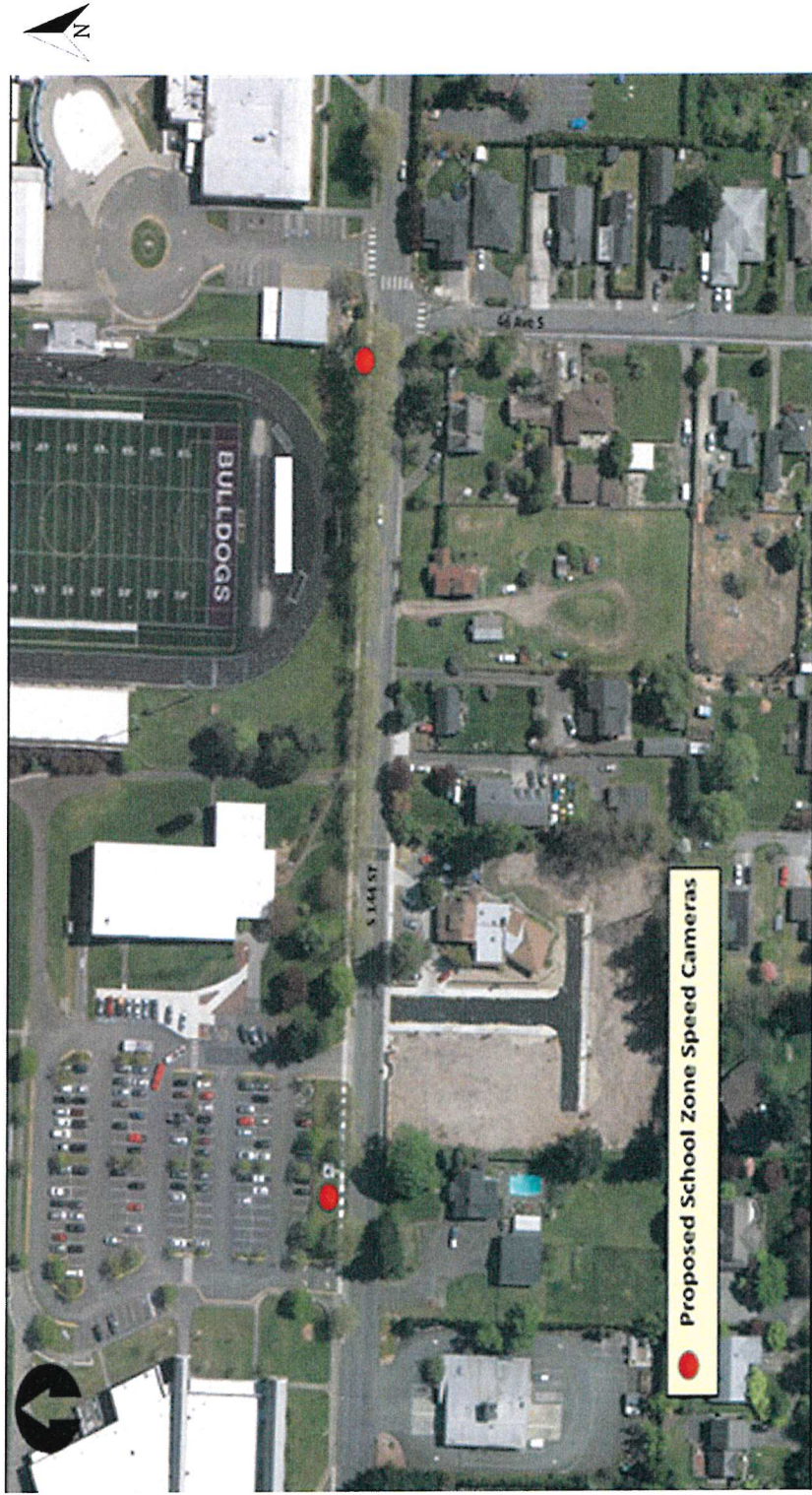
The data presented below is the basis for the location of the school speed-zone camera pilot program on South 144th Street in the vicinity of Foster High School and Showalter Middle School.

The two cameras (Westbound and Eastbound) would be located between the 4200 and 4600 blocks of the school zone.

The police department in coordination with public works, conducted an updated study of speeds during school hours in the area of Foster High School and Showalter Middle School.

The updated speed analysis over a three-week period shows compelling data to support the recommended automated enforcement.

Proposed School Speed-Zone Camera Locations



Speed summary Reports for Foster High and Showalter Middle School in the 4600 Block of S.144th Street East and West Bound (March 25-29, 2019)

Radar Speed Measuring Device - Without Flashing Speed Notification					
Direction of Travel on S. 144th	Travel Times - Children Present	Total Number of Vehicles	Violators 25 - 45 mph	Speeds	
Eastbound	7:30AM - 9:30AM	1,397	320		
Westbound	7:30AM - 9:30AM	1,576	477		
Eastbound	2:00PM - 3:30PM	1,625	568		
Westbound	2:00PM - 3:30PM	1,729	776		
	Total	6,327	2,141		

Speed summary Reports for Foster High and Showalter Middle School in the 4600 Block of S.144th Street East and West Bound (April 1-5, 2019)

Radar Speed Measuring Device - With Flashing Speed Notification Activated					
Direction of Travel on S. 144th	Travel Times - Children Present	Total Number of Vehicles	Violators 25 - 45 mph	Speeds	
Eastbound	7:30AM - 9:30AM	1,422	341		
Westbound	7:30AM - 9:30AM	1,417	344		
Eastbound	2:00PM - 3:30PM	1,713	500		
Westbound	2:00PM - 3:30PM	1,634	566		
Total		6,186	1,751		

Speed summary Reports for Foster High and Showalter Middle School in the 4600 Block of S.144th Street East and West Bound (April 22-26, 2019)

Radar Speed Measuring Device - With Flashing Speed Notification Activated					
Direction of Travel on S. 144th	Travel Times - Children Present	Total Number of Vehicles	Violators 25 - 45 mph	Speeds	
Eastbound	7:30AM - 9:30AM	1,422	376		
Westbound	7:30AM - 9:30AM	1,487	385		
Eastbound	2:00PM - 3:30PM	1,713	564		
Westbound	2:00PM - 3:30PM	1,642	587		
Total		6,264	1,912		

Public Records Requests Retention for Violations and Traffic Enforcement

- Public records requests are forwarded to the city and the city can request needed information from the selected vendor.
- Images must be retained and accessible up through the exhaustion of the appeals process and then destroyed.
- The police department does not have a specific policy related to the retention of Automated Traffic Safety Cameras or Notice of Infractions Issued since the Washington State Law Enforcement Records Retention Schedule dictates our retention schedule.

Retention for Violations and Traffic Enforcement

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
LE2010-052 Rev. 0	<i>The activity of enforcing laws and ordinances and citing violations (including traffic, non-traffic and vessel or vehicle-related violations).</i> Automated Traffic Safety Cameras – Citation or Notice of Infraction Issued Images captured by automated traffic safety cameras which have resulted in the issuance of a citation or notice of infraction.	Retain until exhaustion of appeals process then Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR
LE2010-053 Rev. 0	Automated Traffic Safety Cameras – Citation or Notice of Infraction Not Issued Images captured by automated traffic safety cameras which have not resulted in the issuance of a citation or notice of infraction.	Retain until verification that no infraction has been captured then Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR
LE2010-054 Rev. 0	Automatic License Plate Recognition Images – Case-Specific Images of vehicle license plates captured by automatic license plate imaging equipment and which do contain images significant to case investigations or court proceedings.	Retain until exhaustion of appeals process then Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR
LE2010-055 Rev. 0	Automatic License Plate Recognition Images – Not Case-Specific Images of vehicle license plates captured by automatic license plate imaging equipment and which do not contain images significant to case investigations or court proceedings.	Retain until verification that a significant image has not been captured then Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR

Vendor Selection Process

- The Police Department has drafted an RFP to select a suitable vendor.
- The review and selection process will incorporate criteria based on experience and a broad level of service focused on past successes in other jurisdictions.
- Input from the council will help guide that criteria

Budget for Proposed Red-Light and School Speed-Zone Cameras

- Vendor business models for Red Light and School Zone Cameras require no upfront costs
- The equipment is owned and maintained by the contracted company (Leased Equipment)
- Most reputable vendors have indicated that the lease pays for itself and our collaboration with other agencies have confirmed this model
- Less than two fully paid infractions per day will cover the monthly lease for each camera.
- 6 Red Light Cameras at \$4,500 to \$5,000.00 per camera, per month - \$360,000.00 per year
- 6 Photo enforcement signs \$500.00 each - \$3,000.00
- 2 School Speed Zone at \$4,500-5000 per camera, per month - \$120,000 per year
- 2 Photo enforcement signs \$500.00 each - \$1,000.00

No additional FTE's for the PD

Recommend a “wait and see” approach with regard to adding personnel for the potential municipal court workload

Protections Under RCW 46.63.170

- Per the RCW 46.63.170, Cameras Only Take a Picture of the Vehicle and Plate Only, not the Driver or Interior of the Violating Vehicle.

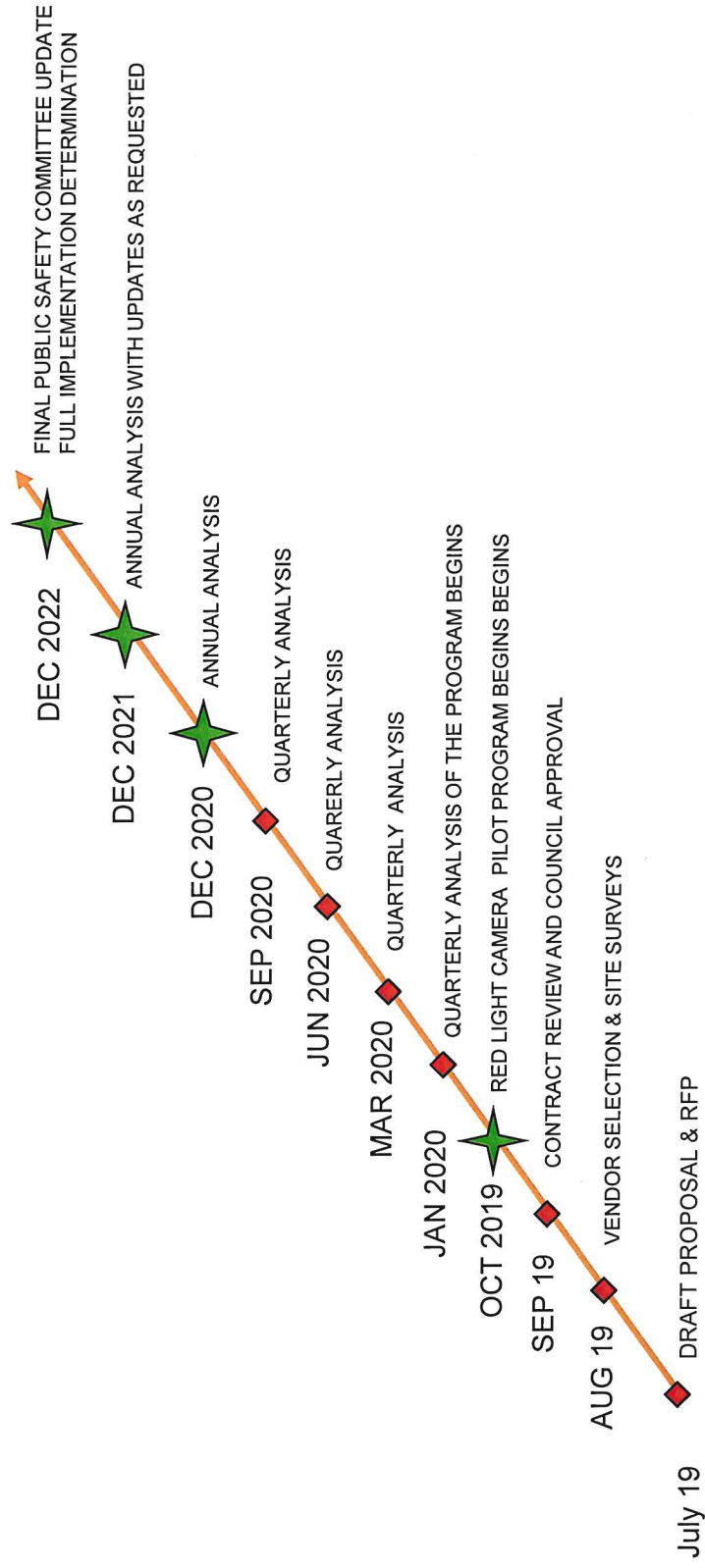
Electronic images prepared under this section are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section.

No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

RCW 46.63.170 Guidance and Best Practices

- compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment. (RCW 46.63.170)
- Recommend any revenues realized after the monthly cost of the camera program be slated for traffic safety programs since this is the best practice.

Tukwila Police Red-Light and School Speed-Zone Cameras Implementation Timeline



D. Contract Amendment: BNBuilders

Staff is seeking Council approval of Amendment No. 3 to Contract 18-049 in the amount of \$165,100 and \$100,00 contingency for demolition of the vacant buildings on the Travelodge property. Staff would like to demolish as soon as possible due to the risks associated with vacant buildings. The contractor is hoping to begin demolition in December 2018 pending utility disconnects and permits. The demolition and associated work is included in the approved Justice Center project budget. The Committee asked that the memo be updated to reflect that the City will pay a premium of around \$60,000 to demolish the Travelodge now before demolishing the other buildings on site. **UNANIMOUS APPROVAL. FORWARD TO DECEMBER 10, 2018 SPECIAL CONSENT AGENDA.**

E. 2018 Public Safety Committee Work Plan

Committee members and staff discussed the status of items on the Committee work plan, which will be included in the Committee of the Whole packet for a Council year-end report. **DISCUSSION ONLY.**

III. MISCELLANEOUS

Traffic Camera Pilot Project



The traffic camera pilot proposal and ordinance were sent back to Committee after the addition of a proposed school zone camera pair in the vicinity of Foster High and Showalter Middle School on South 144th. The Police Department’s original proposal was for three red light intersection cameras, but some Councilmembers expressed interest to include school zone speed cameras in the pilot. Committee members discussed the proposal. Judge Walden offered that tickets given by officers in school zones cannot be reduced, and tickets resulting from these cameras would be preferable as they can be reduced and they do not go on a permanent record. Community service is also an option in lieu of payment. She believes school zone cameras are effective at reducing speeding behavior. Chief Linton addressed outreach, stating that PD will engage with social media just as with the original proposal. He met with the new interim Superintendent and will reach out to the School Board.

Chair Hougardy asked that the following questions about the school zone cameras, some of which are answered in the memo and presentation, be incorporated into a fact sheet for Council and public reference before the next meeting:

- 1) What is the fine amount in the school zones? Give examples.
- 2) At what times of the day will the cameras be operational? Can these times be changed? If so, who makes that decision and how are others notified?
- 3) At what speed limits would the fines be enforced? Can these be changed? If so, who makes that decision, and how are others notified?
- 4) Where would the cameras be placed?
- 5) When was the study referenced in the presentation conducted?
- 6) Will the tickets be reported to insurance companies?
- 7) What other types of mitigation are available and are they being considered?



- 8) What other nearby cities have speed limit cameras in their school zones? Have any removed the cameras and why?
- 9) What kind of public outreach, if any, is planned before consideration of passing the ordinance?
- 10) What kind of outreach to the School Board and School District, if any, is planned before consideration of passing the ordinance?

Chair Hougardy indicated that she had concerns about the social justice impact of school zone cameras but liked the idea of the flashing lights serving as warning as well as the fact that the fine can be reduced or substituted with community service. Councilmember McLeod stated that he was in support of moving forward with the red-light pilot and that the school zone cameras needed another touch by Committee. He asked if PD would consider removing one red light camera from the pilot. Chief Linton stated that the locations were identified based on data and complaints and the proposal is to leverage modern technology since officers can't be everywhere. His recommendation remains three intersections and one school zone speed area. Councilmember Robertson said he wants the focus to remain on safety and reducing dangerous driving behavior. The Committee agreed that the 2019 Public Safety Committee should discuss this item prior to sending it on to Committee of the Whole.

Adjourned 6:38 p.m.

RGH Committee Chair Approval

Summary by LH

Proposing School Zone Cameras

Dear Tukwila School District Staff, Students and Parents:

The Tukwila Police Department recently proposed school zone speed cameras for the area of S 144th between 42nd Ave South and 46th Ave S. We continue to receive mounting complaints regarding speeding in school zones. The Safety of our children is the number one priority for the Tukwila Police Department. The Tukwila Police Department has attempted to mitigate the multiple traffic complaints in our school zones. Several methods have been used to curtail traffic issues. These efforts include speed signs, cross walks, speed notification signs, and school zone speed enforcement. These efforts have not been effective in that we are still receiving complaints about significant speeding in our school zones, especially along S 144th Street.

We collected data over the course of one week, between 7:30 AM-9:00 AM and again at 2:30 PM-3:30 PM. The data shows that in the mornings and evenings when students are present, there is a significant amount of speeding in this school zone.

The radar equipment captured 6,264 motorists. Of those 1,912 were traveling at speeds between 25-40 miles per hour. The posted speed limit in school zones is 20 mph because at this speed or below drivers and children walking have more time to see each other and react. In addition, the likelihood of a fatality at or below 20 miles per hour is approximately 10%. When that speed is increased to 30 mph the risk of a fatality increases to approximately 60%.

Many emphasis patrols involve citations that are written by hand by officers. These patrols often take attention away from other areas in the city. Those that receive tickets from officers can experience the following:

- High penalties and fees
- Tickets received by officers are included on the offender's driving record.
- This could have an effect on insurance rates
- And those tickets cannot be mitigated.

The cameras would be active from 7:30 AM – 9:00 AM and again from 2:00 PM - 3:30 PM. Signs and or flashing lights will be activated during the times that the cameras are operational.

The cameras are connected to the school zone beacons and only operate when the beacons are flashing. If the beacons are not flashing, then drivers will not be issued citations.

Photos of the vehicle and the vehicle license plate taken at the time the vehicle was detected speeding in a school zone are filed along with a notice of infraction in Tukwila Municipal Court.

The violator will be sent a notice of infraction in the mail. That notice will contain a photo of the vehicle and license plate. The driver or occupants of the vehicle will not be photographed or distributed, as that would be in violation of RCW 46.63.170. The photograph and video of the violation will be available online for the violator to review.

Additional information associated with camera enforcement:

- Citations can be mitigated.
- Camera enforced citations are treated much the same way as a parking violation and are not included on the violator's driving record
- Camera enforced citations do not affect insurance rates.

We would like to hear from you about your concerns related to speeding in our school Zones and we certainly ask for your consideration by monitoring your speed when transiting our school zones. We truly believe you are as concerned as us when it involves the safety of our kids". Please send comments to trafficsafety@tukwilawa.gov

Automated Safety Camera Enforcement

Tukwila Police Department Communications Re: The Proposed Automated Safety Camera Enforcement Pilot Program (commonly known as Red-Light Cameras)

The Police Department is proposing an Automated Safety Camera Enforcement Pilot Program (commonly known as Red-Light Cameras) and we want our community members to weigh in.

The department is faced with the challenge of ensuring the safety of our arterials and neighborhood roadways while traffic volumes continue to increase. Ongoing patrols by our officers can only accomplish so much, and it is important that we look at other tools that can help increase the safety of our roadways.

Automated enforcement, commonly referred to as “Red-Light Cameras,” provides us an opportunity to reduce serious injury accidents at intersections with a history of high-frequency red light running violations. The Department has reviewed historical data at key intersections to better understand if this technology would improve safety with in the city of Tukwila. Indeed, the data clearly shows the need for these in multiple major arterial intersections.

These proposed intersections were chosen based on collision data and potential violations based on officers’ observations and experience:

- Boeing Access at Martin Luther King Jr (Southbound and Eastbound)
- Southcenter Parkway at Strander Blvd (Northbound and Westbound)
- Grady at Interurban Ave South (Eastbound and Westbound)

The Police Department’s goal is to make these proposed locations well known before the cameras are installed in the hopes that everyone will increase their vigilance and drive more carefully, avoiding a ticket and or a terrible accident.

Automated enforcement is currently used in King, Pierce, Snohomish, Spokane, and Chelan counties. Here in King County there are programs in Bellevue, Des Moines, Federal Way, Issaquah, Kent, Lake Forrest Park, Mercer Island, Renton, and Seattle.

Red light running nationally causes hundreds of deaths, tens of thousands of injuries and billions of dollars in property damage. A driver runs a red light about every 20 minutes and this happens more frequently during peak times. Studies show that automated safety cameras have reduced red light running, which in turn reduces the potential serious injury right angle collisions.

The camera systems will also assist with better tracking of intersection statistics such as traffic flows, number of vehicles, peak hours of the days, number of collisions, and tickets issued in these intersections.

As we seek to increase the safety of our roadway by incorporating this technology into our enforcement efforts, the Police Department is interested in hearing from the public on their thoughts on its use within the city of Tukwila.

Thank you for your interest and please share your thoughts at (TrafficSafety@tukwilawa.gov).

Automated Safety Camera
Enforcement

FREQUENTLY ASKED QUESTIONS
AUTOMATED SPEED CAMERA ENFORCEMENT PROGRAM

Q: Are Photo Safety Enforcement Programs effective?

A: Yes. Automated cameras have been proven to be effective in reducing red light running violations and right-angle collisions. Jurisdictions that use this system consistently report safer roads and intersections with fewer collisions.

Q: Why are cameras used?

A: According to the Insurance Institute for Highway Safety, red light running is a leading cause of urban vehicle accidents and often cause injury and death. Jurisdictions install the system to improve public safety by deterring red light running.

Q: Isn't the main purpose of red light cameras to make money?

A: No. The goal of red-light camera enforcement systems is to improve public safety by reducing injuries and deaths caused by accidents. Drivers are advised of camera systems at each intersection that photo enforcement is in use by way of signage.

Q: Are motorists warned when they are approaching a Red-Light Camera Zone?

A: All locations where an automated traffic safety camera is used must be clearly marked at least thirty days prior to activation of the camera by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter [47.36](#) RCW.

Q: Who receives the ticket?

A: Tickets are mailed to the registered owner of the vehicle.

Q: Will "points" be assessed to my driving record?

A: This violation is considered a non-moving violation and no points will be assessed.

Automated Safety Camera
Enforcement

Q. If I am already in the intersection when a light turns red, will I get a violation?

A: No. Violations are only issued when a vehicle enters the intersection AFTER the light has turned red. If you enter the intersection on a green or yellow light you will not be photographed by the camera system.

Q: Is a penalty issued for making a right turn on red?

A: Tickets will also be issued if a driver makes a right turn on red—before failing to come to a complete stop and if pedestrians are crossing the street or at intersections posted "No right turn on red."

Q: Will the red-light camera take a picture of the driver of the vehicle?

A: No. A violation is assessed against the registered owner of the vehicle; it is not a moving violation. Similar to a parking ticket, there is no need to identify the driver and therefore, no need to capture the image of the driver. This violation will NOT affect your driving privileges or insurance rates.

Q. Can I receive citations for other offenses as a result of my red light camera?

A: No. Drivers who receive photo enforcement citations are cited for Red Light Camera Violations only.

Q: How much is the fine?

A: The amount of the fine for a Red-Light Camera Violation is \$139.00

Q. How can I dispute this violation?

A: CONTEST A VIOLATION:

(1) Tickets may be contested through the Tukwila Municipal Court. The Police Department and the Court will communicate the specifics as the program is further developed.

(2) If the basis of the claim is that the registered owner was not driving the vehicle, he or she may complete an affidavit and any supporting documentation and forward to the court.