



Testimony by:
FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 24, 2017
9:30 a.m.
State Capitol, Room 211

S. B. 221, S.D. 1
RELATING TO HIGHWAY SAFETY

Senate Committee on Ways and Means

The Department of Transportation (DOT) **supports** with reservations this relating to highway safety. This bill will establish a program for a photo red light imaging detector system program.

Red light running has increased over the years and more complaints are being received by police. The photo red light imaging system has reduced the number of collisions in the nation for years. This bill will help to reduce the number of near misses and crashes at intersections due to red light running. However, developing a viable working system will not be an easy task for the counties and the department. There are several issues that continue to be a problem to the public which may hamper the program. They are:

- Money to start the program. The buying or leasing/renting of equipment and cost for installation.
- The program being perceived as for profit. This perception is always an issue, especially if the program is contracted out to a vendor.
- Identifying the proposed intersections where the equipment will be installed. If the counties are going to be given the power to start their own program, then they can select the specific locations where they will install the equipment.
- Having the police issue the citations instead of a vendor, will require additional resources that will include full time positions.
- The mail out of citations by certified registered mail will cause an additional expense to the county and/or police departments. Having the recipient sign for the mail out may cause "dead mail" as most of this type of mail will be undeliverable.
- There will be an additional cost for the design of the new citation that contains the current information needed as well as the pictures of the violator on the citation.

- If the program is to be administered by a nonprofit organization, it may be an insurmountable task to find adequate resources to complete the work as it may be time consuming for them.
- ***The length of the yellow signal will be a programming problem. Whatever time a vehicle (truck) enters the intersection will determine if they will clear it before the steady red signal is activated. e.g. If the truck enters the intersection a half second before the steady red is displayed, the signals are not able to be automatically reprogrammed to wait for the truck to clear before turning red.***
- The effective date of this bill will not give enough time for a system as is described in this bill for a program to be ready to commence its operation. Research, contracts, and tweaking of the law often takes over a year.

The DOT is recommending that a Red Light Running committee be established to include police, prosecutors, City Department of Transportation Services to review this bill and make necessary amendments for the 2018 Legislative Session and the have the bill be effective on January 1, 2019.

The DOT strongly supports the intent of such a program, but needs to be given the time to research and plan the operation and tweak the law if necessary. The most important issues of this program is funding and public opinion.

Thank you for the opportunity to provide testimony.



The Judiciary, State of Hawai'i

**Testimony to the
Senate Committee on Ways and Means**
Senator Jill N. Tokuda, Chair
Senator Donovan M. Dela Cruz, Vice Chair

February 24, 2017, 9:30 a.m.
State Capitol, Conference Room 211

by

Calvin C. Ching
Deputy Chief Court Administrator, District Court of the First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 221, S.D. 1, Relating to Highway Safety.

Purpose: Establishes the photo red light imaging detector systems program. Authorizes counties to administer the program. Requires proceeds of fines to be expended in the county from which they were collected for operation of the program. Makes an appropriation.

Judiciary's Position:

The Judiciary takes no position on the merits of Senate Bill No. 221, S.D. 1, but is concerned with the negative impacts on Judiciary operations.

The bill calls for the summons or citations to be issued to the registered owners of the offending vehicle. However, the governmental body responsible for the managing of the motor vehicle registrations is not always current with its vehicle registrations and there are always pending vehicle transfer transactions. These pending transfers may result in the summons or citations regarding the offending vehicles being mailed to the previous owners causing a discrepancy.

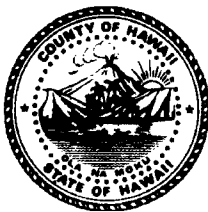
Such a large number of summons or citations resulting in discrepancies puts a tremendous burden on the District Court staff. Should the defendant contest the summons or citation by either submitting

Testimony for Senate Bill No. 221, S.D.1
Senate Committee on Ways and Means
February 24, 2017
Page 2

written statements or by making requests for court hearings, District Court staff will need to prepare these written statements for review or schedule the cases for court hearings.

Thank you for the opportunity to provide comments on this measure.

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i
Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
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February 23, 2017

Senator Jill N. Tokuda
Ways and Means
Hawai'i State Capitol
Honolulu, HI 96813

Dear Chair Tokuda and members:

RE: **SB 221**

Thank you for this opportunity to testify in support of SB 221.

As we understand the intent of this bill, it is to give the counties the option of implementing a photo red light program. Our attorneys have one concern: that the language of Section 3 ("There is established the photo red light imaging detector systems program...") and Section 4 ("Each county may establish and implement...") might be read to mean that if a county does not exercise its option, someone else could (perhaps the State, or even some other entity).

If it is made crystal clear that the option is with the county, and only with the county, we believe this is a good initiative. We would welcome having such choice, and therefore urge passage of SB 221.

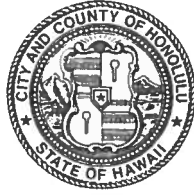
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Harry Kim".

Harry Kim
Mayor

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

CARY OKIMOTO
JERRY INOUE
DEPUTY CHIEFS

OUR REFERENCE TT-GR

February 24, 2017

The Honorable Jill N. Tokuda, Chair
and Members
Committee on Ways and Means
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 211
Honolulu, Hawaii 96813

Dear Chair Tokuda and Members:

SUBJECT: Senate Bill No. 221, S.D. 1, Relating to Highway Safety

I am Thomas Taflinger, Captain of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 221, S.D. 1, Relating to Highway Safety.

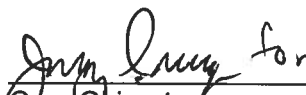
The passage of this bill will decrease the number of red light violations that go undetected, thereby reducing the likelihood of collisions that may result in death or serious bodily injury.


The HPD urges you to support Senate Bill No. 221, S.D. 1, Relating to Highway Safety.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,


Cary Okimoto
Acting Chief of Police


Thomas Taflinger, Captain
Traffic Division



TO: Committee on Ways and Means
Senator Jill Tokuda, Chair
Senator Donovan M. Dela Cruz, Vice Chair

SUBJECT: Support SB 221 SD1

Aloha Chair Tokuda, Vice Chair Dela Cruz and members of the Senate Committee on Ways and Means. The Hawaii Strategic Highway Safety Plan views this as a positive measure to permit counties to adopt photo red light imaging systems.

This is a supported strategy outlined in the Strategic Highway Safety Plan.

Thank you for considering SB 221 SD1.

Strategic Highway Safety Plan Mission

Save lives and reduce injuries on Hawaii's roadways through strategic partnerships and implementation of the SHSP.



Mothers Against Drunk Driving HAWAII
745 Fort Street, Suite 303
Honolulu, HI 96813
Phone (808) 532-6232
Fax (808) 532-6004
hi.state@madd.org

February 24, 2017

To: Senator Jill N. Tokuda, Chair –Senate Committee on Ways and Means; Senator Donovan M. Dela Cruz, Vice Chair; and members of the committee

From: Arkie Koehl/Carol McNamee, Co-Chairmen – Public Policy Committee, MADD-Hawaii

Re: Senate Bill 221, SD1 – Relating to Highway Safety

We are writing in support of Senate Bill 221,SD1 on behalf of the membership of MADD Hawaii. This bill establishes a photo red-light imaging detector system which would be administered by the counties.

Being vitally interested in highway safety, the members of MADD Hawaii endorse measures to to protect our citizens by making enforcement of traffic laws more effective. The organization believes that Hawaii’s counties should join the hundreds of other communities across the country that are reducing crashes through the implementation of photo red-light detector systems.

A 2010 comparative analysis of fatal multi-vehicle red-light running crashes (vs crashes not involving red light running) in the U.S. by the Insurance Institute for Highway Safety revealed that the red light runners were more likely to have prior crashes, alcohol-impaired driving convictions, and citations for speeding and other traffic offenses. The red light runners also were more likely to be speeding or impaired by alcohol at the time of the crash and were less likely to have a valid driver’s license. This identified alcohol involvement in at least a portion of intersection crashes makes support for this measure a logical expression of MADD's goal to reduce death and injury caused by impaired driving.

Just as with other highway safety programs conducted in our state, the primary object of the photo red light imaging detection program is to deter potential violators and thereby prevent crashes, injuries, and loss of life. Anyone who travels the roads of Honolulu County sees the blatant disregard for proper stopping at red lights. More and more often I see the potential for horrendous crashes as vehicles speed through intersections long after the signal has turned red. MADD believes that red light detection systems will decrease this problem and prevent innocent road users from being hit by red light runners – whether alcohol and speeding impaired or just impaired by poor judgment.

In 2010, 673 people in the U.S. were killed and an estimated 122,000 were injured in red-light running crashes. About half the deaths in red light running crashes involve pedestrians, bicyclists, and people in other vehicles who are hit by the red-light runners. *(IIHS – 2012)*

A 2011 study of large cities with long standing red-light camera programs found that the cameras reduced the fatal red light running crash rate by 24%.

The Photo Red Light Imaging Detection enforcement tool has received the backing of the National Highway Traffic Safety Administration, which claims the systems have been effective in reducing intersection-related crashes.

In the latest study confirming the benefits of red light cameras, researchers at the Insurance Institute for Highway Safety (IIHS) found that red light running rates declined at Arlington, Va., intersections equipped with cameras. The decreases were particularly large for the most dangerous violations, those happening 1½ seconds or longer after the light turned red." This study provides fresh evidence that automated enforcement can get drivers to modify their behavior," says Anne McCartt, senior vice president for research at IIHS and the study's lead author. *(Study released Jan, 2013)*

Although some studies report that there is an increase in rear-end collisions after red-light running detection systems are installed, these crashes tend to be much less severe than those resulting from "front-into-side" crashes. A Study by Federal Highway Administration concluded that the economic costs from the rear-end collisions were more than offset by the economic benefits from the decrease in the right-angle crashes targeted by red-light cameras.

MADD encourages the Senate Ways and Means Committee, to pass SB 221, SD1 to increase the safety of Hawaii's roads..

Thank you for the opportunity to submit this written testimony to the committee.

February 22, 2017

Senator Jill N. Tokuda, Chair
Senator Donovan M. Dela Cruz, Vice Chair
Committee on Ways and Means

**RE: SB 221 – Automated Red Light Camera Enforcement
SUPPORT IF AMENDED**

Dear Chair Tokuda, Vice Chair Dela Cruz and Members of the Ways and Means Committee:

AAA Hawaii was founded in 1915 in Honolulu and is a leader in motorist services and a strong advocate for traffic safety. With more than 157,000 members, service to and the safety of our members, other motorists, and all road users is our founding and continuing purpose.

Our position, in general, about the use of advanced technology and automated enforcement devices is based on our belief that the introduction of new technologies and practices to improve traffic safety are usually more effective, successful, and receive public acceptance if the effort is focused on measurable improvements to real and identifiable traffic safety problems, and include adequate safeguards to prevent potential abuse. Use of the devices for other purposes, such as generating revenue, will result in public opposition to their use and will erode their effectiveness.

Many studies document the safety benefits of red light camera systems. Results vary, but most studies show reductions in traffic crashes. However, some studies also indicate a change in accident patterns where the number of more dangerous broadside crashes have been reduced, but there have been increases in the often less dangerous rear-end type collisions caused by drivers coming to sudden stops at the end of a yellow phase when they might have normally proceeded through the intersection absent an automated enforcement device.

In 2003, a National Cooperative Highway Research Program synthesis of numerous studies conducted by the Transportation Research Board concluded that "[red light camera] automated enforcement can be an effective safety countermeasure." It further stated that "from the findings of several studies, in general, [red light] cameras can bring about a reduction in the more severe angle crashes with, at worst, a slight increase in less severe rear-end crashes." However, the study noted that "there is not enough empirical evidence based on proper experimental design procedures to state this conclusively."

1130 N. Nimitz Highway, Suite A170, Honolulu, HI 96817

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The mixed safety improvement results offered by various studies make the selection of intersections where the cameras will be deployed and other criteria critical in the successful deployment and use of these programs.

Based on studies and experiences of other states that have deployed these devices, we would like to offer the following amendments for your consideration and inclusion in HB 736.

No Fee per Citation – There should be no relation between the number of citations issued by these systems and the financial compensation to the private vendors who install them. Vendors should be paid a negotiated lump sum amount regardless of the number of citations that the system.

Amber Phase Timing – An adequate and uniform yellow change interval calculated, implemented, and maintained based on sound traffic engineering principles, preferably the ITE standard on yellow light timing, is important for all intersections, but crucial in implementation of red light cameras. Other states' experiences have shown that lack of adequate yellow light timing can result in abuses, which, in turn, create public opposition to red light cameras. Inadequate yellow light timing can also increase crash risks by shortening the amount of time drivers have to respond to changing signals.

Location Selection – Selection of locations where these devices are installed should be based on real and quantifiable needs, such as rate of crashes caused by red light running violations, not simply because they are high traffic volume intersections. Selection of any location should also follow full due diligence to explore all other applicable traffic engineering modifications to improve traffic safety at the intersection (e.g., including an all-red phase in the traffic light cycle), before an automated enforcement device is installed. We believe this is an important criterion when red light programs are being considered.

Installation Approval Process – An important safeguard is also the requirement that the authorization for location selection and installation of red light cameras be done by an elected legislative body at the city or county level pursuant to a public hearing where members of the public can be heard. No administrative authority should be given to technical staff for either the selection of locations or the installation of the red light cameras without going through the public hearing process and seeking elected legislative body approvals.

Right-on-Red Violations – There is potential for abuse of red light cameras in issuing citations for right-on-red (ROR) violations. At most intersections, slowing, but not coming to full-stop, on red when making right turns, is not a serious traffic hazard, albeit still a “per se” violation and potentially dangerous for pedestrians. ROR tickets account for 60-70% of all tickets issued by automated devices in some states, where the ROR violations were not the primary safety reason for installing cameras and did not account for a measurable proportion of traffic crashes.

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These abuses can create pushback in many communities resulting in either the elimination of the automated enforcement programs altogether or suspending their use for ROR violations. We believe that automated ROR enforcements should be limited only to locations where there are demonstrated pedestrian crossing safety issues that need to be mitigated.

Public Information – Comprehensive public information and education about the introduction of these systems is essential, including adequate publicity about their introduction. In addition, drivers should be given a grace period, (e.g., 30 days is often used) when a red light camera system is installed, during which the system does not issue citations but rather sends a warning to the violators. Recent court decisions in other states have held that each intersection must have its own grace period. It is best to establish that requirement in Hawaii as well.

Thank you for your consideration of our proposed amendment. We will be happy to further discuss these issues with you and your staff.

Sincerely,

Liane Sumida

Liane Sumida
General Manager

1130 N. Nimitz Highway, Suite A170, Honolulu, HI 96817

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SB221

Submitted on: 2/22/2017

Testimony for WAM on Feb 24, 2017 09:30AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Shawn Colotario	Individual	Support	No

Comments: I strongly support the red light cam initiative. I believe this will save lives.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Hawaii Safety, Red Light Imaging
House Bill 736
Senate Bill 221 S.D. 1

I am strongly opposed to these bills and ask that you consider voting against them for the following reasons:

Many states and municipalities not only do not allow red light cameras but have outlawed them. As of November 2015 sixteen states prohibit the controversial red light (and speed cameras). 158 communities have ended their red-light camera programs in the last five years.

Over time there will be intense public opposition to this proposed law. There will be increased court testimony as Hawaii citizens become aware of the harmful and constitutional disparities of red light camera law. Thousands of tickets could be ultimately ruled nullified potentially forcing the counties to refund hundreds of millions of dollars in fines and penalties already paid. This law violates the fundamental principles of justice, equity, and good conscience. It is not pono. Conversely, with properly posted speed limits and properly installed traffic-control devices, there is no need for ticket cameras. Cameras can actually make our roads less safe.

1) Ticket cameras do not improve safety.

Despite the claims of companies that sell ticket cameras and provide related services, there is no independent verification that photo enforcement devices improve highway safety, reduce overall accidents, or improve traffic flow. Believing the claims of companies that sell photo enforcement equipment or municipalities that use this equipment is like believing any commercial produced by a company that is trying to sell you something. This law, as written, is a boiler plate model usually given to state legislatures for consideration by companies such as American Traffic Solutions Inc, RedflexTraffic Systems, Affiliated Computer Services.

2) There is no certifiable witness to the alleged violation.

A picture may be worth a thousand words, but it may also take a thousand words to explain what the picture really means. Even in those rare instances where a law enforcement officer is overseeing a ticket camera, it is highly unlikely that the officer would recall the supposed violation. For all practical purposes, a camera is the “accuser” for motorists to confront, which is a constitutional right. The first thing to do after receiving a summons is to subpoena the camera/witness. The ends does not justify the means. Hawaii expects its citizens to follow the law – so much so that there is a proposal to put cameras to watch us. Yet it is not following the law itself. We are a nation and state governed by the U.S. (5th & 6th Amendments) and Hawaii (Articles I sections 10 & 14) Constitutions. Both speak to the salient issues involving camera tickets: there is a right to face the accuser, or in this case, a camera? And there is a right to avoid self-incrimination which is quid pro quo in the current red light legislation. There is no one who can personally testify to the circumstances of the alleged violation, and just because a camera unit was operating properly when it was set up does not mean it was operating properly when the picture was taken of any given vehicle.

3) Ticket recipients are typically not adequately notified.

Sending out tickets via mail is no guarantee that the accused motorists will even receive the ticket, let alone understand it and know how to respond. However, the government makes the assumption (aka “prima facie” evidence) that the ticket was received. If motorists fail to pay, a judgement of default is granted. Is this truly due process, another constitutional right?

4) The driver of the vehicle is not positively identified.

It has been estimated by an Insurance Institute for Highway Safety (IIHS) study that the registered owner of the vehicle—the one ticketed after a vendor matches a plate number to a DMV record—is the actual driver of the car only 72 percent of the time. The Insurance Institute for Highway Safety, it must be noted, is one of the staunchest advocates of automated enforcement (see below, Getting Rear-Ended by the Law), and views the 72 percent figure as a triumph. To which any reasonable person might ask, what other law enforcement tool snags the wrong guy over one-fourth of the time, and is still considered a success? Typically, the photos taken by these cameras do not identify the driver of the offending vehicle. The owner of the vehicle is mailed the ticket, even if the owner was not driving the vehicle and may not know who was driving at the time. The owner of the vehicle is then forced to prove his or her innocence, in one case, by identifying the actual driver who may be a family member, friend or employee. The assumption that there is prima facie evidence that a registered vehicle can violate section 291C-32(a)(3), HRS, is beyond the scope of case law and what is taught in police academy. If two people own a car together the name that appears first on the registration would be the one getting the summons. Courts have ruled this is a clear violation of the equal protection clause of the constitution -which deals with treating similarly situated people differently.

5) Ticket recipients are not notified quickly.

People may not receive citations until days or sometimes weeks after the alleged violation. This makes it very difficult to defend oneself because it would be hard to remember the circumstances surrounding the supposed violation. There may have been a reason that someone would be speeding or in an intersection after the light turned red. Even if the photo was taken in error, it may be very hard to recall the day in question.

6) These devices discourage the synchronization of traffic lights.

When red-light cameras are used to make money for local governments, these governments are unlikely to jeopardize this income source. This includes traffic-light synchronization, which is the elimination of unneeded lights and partial deactivation of other traffic lights during periods of low traffic. When properly done, traffic-light synchronization decreases accidents, congestion, pollution, and fuel consumption.

7) Cameras do not prevent most intersection accidents.

Intersection accidents are just that, accidents. Motorists do not casually drive through red lights. More likely, they do not see a given traffic light because they are distracted, impaired, or unfamiliar with their surroundings, or more often than not, yellow lights are too short in duration. Even the most flagrant of red-light violators will not drive blithely into a crowded intersection, against the light. Putting cameras on poles and taking pictures will not stop these kinds of accidents. “Researchers” like the Insurance Institute for Highway Safety and the companies who sell the camera systems skew their data which is drawn from published or internet studies and did not have access to the actual data.

8) There are better alternatives to cameras.

If intersection controls are properly engineered, installed, and operated, there will be very few red-light violations. Proven engineering should take precedence over enforcement feelings. Government funds

should be used on improving intersections, not on ticket cameras. Even in instances where cameras were shown to decrease certain types of accidents, they increased rear-end accidents. Simple intersection and signal improvements can have lasting positive effects, without negative consequences. Hawaii's counties can choose to make intersections safer with sound traffic engineering - or make money with ticket cameras. Hopefully they will not pick money over safety, which seems to be where we are heading.

9) Ticket camera systems are designed to inconvenience motorists.

Under the guise of protecting motorist privacy, the court or private contractor that sends out tickets often refuses to send a copy of the photo to the accused vehicle owner. This is really because many of the photos do not clearly depict the driver or the driver is obviously not the vehicle owner. Hawaii's vehicle owners would be forced to travel to a courthouse to even see the photograph, an obvious and deliberate inconvenience meant to discourage ticket challenges. This can also be termed harassment and it is inherent in this bill, to wit: "Upon receipt of a summons or citation the registered owner shall respond..."

10) Taking dangerous drivers' pictures doesn't stop them.

Photo enforcement devices do not apprehend seriously impaired, reckless or otherwise dangerous drivers. A fugitive could fly through an intersection at 100 mph and not even get his picture taken, as long as the light was green.

11) A private company is given police power to ticket citizens, has a monetary interest in generating as many tickets as possible, and, despite its low success rate, is often allowed to do so with minimal or no police supervision.

ALTERNATIVES TO RED LIGHT CAMERAS

Increase the Yellow Light Time.

Studies by Virginia and Texas Traffic Engineers show the positive safety impact and significant reduction in red light violations when the yellow lights were lengthened by 1.5 seconds. When safety is the main concern, preventing crashes is more important than reducing violations. Yellow signal timing has proved most effective in reducing crashes. Just an extra second yielded a 40 percent collision reduction. I have personally timed yellow lights on Maui. They were illuminated for only 3 seconds, 50% shorter than what it should be for a 40 mph zone according to the Institute for Transportation Engineers. What are the yellow light intervals in the other counties? A yellow light allows drivers who cannot safely stop to pass through the intersection before the light turns red. Occasionally, even safe and attentive drivers may misjudge the time it takes to make it completely through an intersection. Adding an all-red clearance interval (a brief period where the lights in all directions are red) after the yellow-light phase reduces unnecessary accidents. AAA of Michigan and the City of Detroit partnered to make intersections safer, and they found an all-red clearance interval to be effective.

Timing Traffic Signals

Engineers can adjust the timing of traffic lights to reduce the number of red lights a driver encounters. This process of signal optimization reduces congestion, travel time, gas consumption, driver frustration,

and accidents. This results in actual “traffic calming.” It also helps to reduce red-light violations. An informational report from the Institute for Transportation Engineers (ITE) concluded that the process has a benefit to cost ratio of 40:1.

Make Traffic Lights More Visible

There are a number of reasons motorists might have difficulty seeing traffic lights at intersections. Making traffic lights more visible decreases red-light violations and intersection accidents. Here are three simple things that can be done to help all motorists see traffic lights better:

- Make the lights bigger. With AAA of Michigan’s help, Detroit installed several new lights that were 50 percent larger. This small change helped to decrease both accidents and injuries at problem intersections.
- Add metal backers to lights. This is especially important for lights that face either east or west and can be easily affected by glare from the sun during certain parts of the day.
- Remove any other obstructions. If an intersection has above-average red-light violations or accidents, transportation officials should make sure that no signs, trees, transit stops, or buildings obstruct motorists’ view of the traffic lights.

Improve Intersections For Motorists

Anything about an intersection that confuses or frustrates motorists increases red-light violations. Counties can do all of the following to make intersections safer:

- Repaint lane markings at intersections, especially turn lane markings. This alone had a major impact in the Detroit trial project mentioned above.
- Improve signage. Signs should clearly indicate that a signal is ahead and which lane(s), if any, are for turns only.
- Add traffic lights at certain intersections, especially those that rely on only one light suspended in the air to direct all traffic.
- Build new turn lanes, especially on roads where development has added a significant amount of new traffic volume.
- Provide advance warning lights at high-speed intersections to notify motorists of pending light changes

GETTING REAR-ENDED BY THE LAW

If the pro-camera forces don’t have the National Highway Traffic Safety Administration’s stats, the Federal Highway Administration’s research, or the truth on their side, they have something better: the Insurance Institute for Highway Safety’s senior transportation engineer and lead red-light-camera proponent, Richard Retting. Retting is a near ubiquitous presence in the debate. Statistics floated by his Institute are unblinkingly regurgitated by journalists, even if no one notices, for instance, that they have variously put the number of annual red-light-running fatalities at 750, 800, or 850 depending on which day you catch them.

The fact that Retting is considered the scientific authority on automated enforcement drives people like Greg Mauz (author of “Camera Enforcement: Developing the Factual Picture”) around the bend, since the Institute is “wholly supported,” as its literature explains, by 79 auto insurance companies. Taking Retting’s word on the safety benefits of camera enforcement, say the critics, is a bit like trusting the Tobacco Institute that smoking increases lung capacity.

While most states don’t yet assess driver’s license points for automated infractions, plenty are toying with the idea, and a few, like California and Arizona, actually do. The insurance industry, then, has a financial stake in seeing as many photo tickets issued as possible, since speeding and red-light infractions allow insurance companies to raise their customers insurance premiums for the next three to five years. “It’s free money,” says Mauz.

Before becoming a researcher for the insurance industry, Retting made his bones as Highway Safety Director for the New York City Department of Transportation, where he picked up the coveted Volvo Traffic Safety Award.

Retting has made red-light cameras a near full-time pursuit. Other than Retting’s, there have been few studies on red-light cameras. The most rigorous was a 1995 study conducted by the Australian Road Research Board which examined red-light-camera intersection accidents for the five years before and after the cameras were installed. The report concluded—unpopularly with camera manufacturers and police departments—that “there has been no demonstrated value” of the red-light camera “as an effective countermeasure.”

The Australian report, however, is rarely cited. Its most controversial finding, ironically, is one Retting grudgingly concedes—that red-light-camera intersections tend to see increases in rear-end accidents from people slamming on their brakes to avoid being ticketed. Oddly enough, Retting has asserted that too little yellow time causes people to run red lights inadvertently, that nearly four-fifths of red-light runners do so less than a second after the light changes, that over one-third of red-light running incidents are alcohol related, and that one-fourth of the people cited by the cameras aren’t driving during the infraction.

Retting’s has a pair of reports known as “The Oxnard studies.” Monitoring the effects of red-light cameras in Oxnard, California, in 1997, Retting compared camera and non-camera sites. He concluded that the number of red-light-running incidents was reduced at nine camera sites by anywhere from 22 to 62 percent—a huge shot in the arm to camera boosters. The only hitch was, during the same period, his three non-camera sites performed even better, with decreases in violations on average 10 percent greater than at the camera sites.

For many researchers, this might seem problematic. But not for Retting, who theorized that the “statistically insignificant” difference between the sites was due to “spillover effect”—that is, the red-light cameras caused reductions at non-camera sites. Score one for automated enforcement! The fact that the non-camera intersections outperformed the camera intersections for what might have been any variety of reasons (public education, police presence at other intersections, etc.) didn’t alter Retting’s conclusion. He declared victory and left town, saying that further study of violations in Oxnard would be pointless since publicity resulting from the state’s more than doubling the fine for running a red light, from \$104 to \$270, would influence results.

In April 2001, Retting introduced the second of his Oxnard studies, this time dealing with crash effects at red-light camera intersections. Retting concluded that red-light cameras “reduce the risk of motor vehicle crashes, particularly injury crashes.” He extrapolated, even though cameras were used on only 2 percent of the approaches to the city’s intersections, there were crash reductions citywide. (More spillover effect!)

But one doesn't have to review the report all that closely to uncover significant problems. First, Retting admits that the crash data he studied "did not contain sufficient detail to identify crashes that were specifically [caused by] red light running." Some might consider that a fatal shortcoming in a study that purports to examine red-light-running crashes. Next, he discloses that he didn't study crashes at the 11 red-light-camera intersections, but rather at all intersections, since "prior research documents" a large "spillover effect." (The prior research, of course, being his.)

Most interesting, Retting picked three control cities miles away from Oxnard that were in no danger of getting splattered by "spillover effect." While a table in Retting's report shows crashes at all signalized intersections in Oxnard decreasing 5.4 percent, two of his non-camera-enforced control cities also saw crashes decline, with camera-free Santa Barbara decreasing by 10.2 percent. How does Retting explain this? He doesn't. Perhaps most duplicitously, he claims that during the time of the study, "no other comprehensive traffic safety programs," were implemented in Oxnard that could account for the reductions. Unless, you count California more than doubling its penalty for running red lights (which gave Retting sufficient cause to discontinue his first study).

The National Motorists Association's Jim Kadison secured accident data for the red-light-camera intersections Retting used in his latest Oxnard report. Retting had estimated that the use of red-light cameras had resulted in a tiny 3 percent increase in rear-enders at all signalized intersections. But after expanding the definition of an intersection to include 100 feet into the approaches, where rear-end accidents would logically occur, Kadison found that during the time of Retting's study, rear-end crashes at red-light camera intersections increased from 18 (before installation) to 156, for a total rear-end accident increase of 767 percent.

One police department that does put out specific numbers is Howard County, Maryland. Officers from this wealthy suburb of Baltimore are among the red-light camera's shiniest, generally depicted by journalists as running a model program. At a congressional hearing last summer, Howard County proceeded to declare their three-year-old red-light camera program an unqualified success, boasting a reduction in collisions of between 18 percent and 44 percent at every intersection where a camera had been installed.

When accident statistics for all the county-road intersections where cameras had been placed, the numbers didn't square with the ones presented at the congressional hearing.

The cameras were installed in 1998. Between the years 1997 and 2000, accidents increased at 5 of 13 intersections for which Howard County's Department of Public Works provided statistics. Rear-end accidents increased at 7; they more than doubled at 4, tripled at one, and quintupled at one. All told, the red-light-camera intersections reported a 21 percent increase in rear-end accidents, while total accidents increased 15.9 percent. Figures for all other county intersections also show an increase in accidents, but a smaller one (a 13.4 increase in total accidents and an 8.5 percent increase in rear-end accidents).

Based on the above, I respectfully request that you vote against the proposed red light camera legislation.

Mahalo,

Robert Aldrich
160 Keonekai Road #16-202
Kihei, HI 96753
808-658-5240

COMMITTEE ON WAYS AND MEANS

Senator Jill N. Tokuda, Chair
Senator Donovan M. Dela Cruz, Vice Chair

Re: Senate Bill No. 221, S.D.1 -- Relating to Highway Safety

Friday, February 24, 2017
Hawaii State Capitol, Conference Room 211
9:30 a.m.

HONORABLE CHAIR, HONORABLE VICE CHAIR, AND MEMBERS OF THE
COMMITTEE:

My name is Milton Imada. Before I begin, I would like to say that I am not against pedestrian safety. I am here to point out the flaws in the traffic camera bill, as I see it. I am a registered voter with a 34-year background in fleet maintenance and safety who also maintains a commercial driver's license.

On behalf of other commercial drivers and myself we ask you not to spend our hard earned tax dollars on any form of traffic cameras that citizens rejected in 2002.

This proposed photo red light camera system is flawed, biased, discriminatory and contradicts the "safety" purpose of this Bill. Aren't our overcrowded roads with growing bike lanes enough stress for your constituents?

ENTRAPMENT:

Commercial drivers will be this Bill's most common victims because the inadequate timing of yellow lights fails to allow enough time for all lengths of commercial vehicles and buses entering the intersections on the yellow lights to pass the photo sensors and safely exit the intersections under all conditions of traffic without being cited. The size, weight, load and length of commercial vehicles and busses require much more space in front to come to a safe stop. Busses will be the cameras' most common victims because bus drivers cannot stop in a short distance for fear of passenger injuries; passengers are standing and don't have seat belts, therefore, bus drivers are committed to pass through the intersection knowing they will become a victim of a questionable camera system. Drivers holding a commercial driver's license (CDL) are the unsung

heroes of State commerce. Normal family drivers may be on the roadways approximately two hours daily Monday through Friday. CDL drivers are on the roads approximately 8 hours daily Monday through Saturday. Driving is their livelihood. Citations, increasing insurance payments and possible jail time due to a flawed, discriminatory camera system threaten their families' existence.

Currently there isn't a problem because a vehicle entering an intersection on the yellow light is allowed to exit without being cited in spite of the vehicle's rear end still over the entry side of the intersection. This will all change with the passage of Senate Bill No 221, S.D1. Supporters of this Bill will be knowingly and deliberately trapping these CDL drivers.

DISCRIMINATION AND SAFETY CONTRADICTION:

The intersection stoplight photo imaging system this Bill imposes is bias and unjustly discriminates against car, bus and truck drivers because it fails to provide an effective way to read the tiny motorcycle license plates under all weather conditions. If "safety" is the true intention of this Bill, then this Committee must be consistent and apply it to mopeds.

This Bill's flawed intersection red light camera system is overkill. Human beings, no matter how perfectly we try to drive are not computers and are susceptible to innocent mistakes.

How many fatalities is actually the fault of drivers running the red light at intersections? The public needs to know the truth not misleading exaggerated "smoke and mirrors" to impose bad law at the expense of Oahu's citizens. Where are the exact statistics of intersection accidents that were truly the fault of a responsible driver and not caused by drivers under drug and alcohol abuse and irresponsible pedestrians?

EXPLANATION:

This Bill tries to gain emotional support and confuse citizens into thinking the offenses of running the red lights at intersections are related to news reports that commonly describe hit-and-run drivers who run over small children or the elderly, when in fact news reports prove pedestrian casualties are happening outside the intersections and in too many cases outside the crosswalks when pedestrians jaywalk. Pedestrians ignore the countdown stop-

crossing signal for pedestrians at intersection. Doesn't the countless illegal pedestrian intersection crossing citations in 2016 enough to prove me right?

Pedestrians crossing in crosswalks also cause accidents when they fail to look out for vehicles like drivers have to look out for them.

Too many pedestrians are ignorant of the law or believe, by law, they always have the right of way no matter what. Their carelessness place themselves and drivers in harms way and is a formula for disaster. Regardless, the system always blames the driver!

Contrary to this Bill, red light cameras were not found to be beneficial in all jurisdictions in the United States. Many counties have abandoned the cameras, which increased rear end accidents at intersections.

An August 2, 2011 Star-Advertiser article stated the Houston City Council voted to end its intersection camera program in spite of paying a \$25 million dollars contract penalty. This article also stated "more than a dozen cities now ban the cameras, as do nine states. In many areas where the cameras have been turned off, opponents argue that the programs simply generated revenue without improving safety. Others said they were a money train -- Los Angeles' City Council canceled its program because it was losing money, which some argue the cameras were an invasion of privacy."

Be forewarned that this Bill will increase rear end collisions at intersections. Large trucks may loose their loads and fishtail into other vehicles when drivers panic stop in fear and paranoia of photo cameras. On November 15, 2016 a cement truck overturned while trying to beat the stop light and turn at an intersection on Sand Island Road.

Hawaii drivers do not drive like drivers in other jurisdictions; therefore, do not deserve to be treated in the same manner. We want to keep Hawaii a very special place without becoming photo targets and unwilling benefactors.

Public beware this Bill is not a means to an end but will open a Pandora's box with growing negativity infringing on our rights to privacy and lead Hawaii down a dangerous path of eroding civil liberties.

If you truly want to make a positive difference in the eyes of drivers, develop law to encourage the City to provide for additional police officers made up of paid reserve officers who can once again maintain a meaningful presence

on our highways and at intersections. Police presence fosters a mind sticking law-abiding consciousness that will never be achieved with cameras.

Police officers can enforce immediate driver and vehicle laws that cameras cannot. Officers can immediately detect if the actions of drivers are due to alcohol or drug influence with unlawful contraband.

Government will solve nothing by squandering our hard earned monies on this unpopular project that will meaningfully increase the stresses of today's drivers who are already on edge trying to cope with Oahu's increasingly overcrowded roadways.

Kudos for amending this Bill, applying it to all counties with motor vehicles, not only those counties with populations in excess of 600,000 that are most profitable for the government agency imposing the cameras. After all, driving safely applies to all people on all islands.

SUGGESTIONS -- Alternatives rather than imposing this Bill:

- (1) Increase timing of yellow lights no less than ten (10) seconds to allow all lengths of commercial vehicles to safely pass through intersections under all conditions of traffic. This may be the solution to all our intersection woes without the use of cameras.
- (2) Today, the public is accustomed to the law whereby no red light citation issued if a vehicle enters the intersection on the yellow light. To provide a camera system more acceptable and specifically targeting the red light runner, remove all sensors within the intersection, maintain only the sensor at the inside edge of the crosswalk.
- (3) Kudos for finally accepting the fact that mopeds are also motor vehicles with the moped and driver treated somewhat like motorcycle operators. The only flaw is the lack of driver insurance requirement. Now mopeds hit you and get away free by saying "I no have money and insurance."

We look forward to your Aloha and support.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: egcarson@icloud.com
Subject: Submitted testimony for SB221 on Feb 24, 2017 09:30AM
Date: Thursday, February 23, 2017 3:17:40 PM

SB221

Submitted on: 2/23/2017

Testimony for WAM on Feb 24, 2017 09:30AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Ellen Godbey Carson	Individual	Support	No

Comments: I strongly support SB 221. Please approve this bill. It can save lives, prevent accidents and help us have safer highways. Every life lost creates unfathomable misery to families in Hawaii. Enforcing our red lights and speed limits is a logical, sane approach to saving lives. Police cannot be everywhere all the time. Technology can assist us by using these red light cams. No one has a legitimate interest in claiming immunity from running lights that endanger lives of others. Car owners will have a greater interest in making sure anyone they loan their car to is a safe driver - that's a good thing for all of us. Thanks for helping make Hawaii a safer place.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: david@kingdonconsulting.com
Subject: Submitted testimony for SB221 on Feb 24, 2017 09:30AM
Date: Thursday, February 23, 2017 6:51:29 PM

SB221

Submitted on: 2/23/2017

Testimony for WAM on Feb 24, 2017 09:30AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
David Kingdon, MPH, Paramedic	Individual	Support	No

Comments: Without reservation, I strongly support red light enforcement including cameras. In my view as a bike commuter, parent, paramedic, and injury prevention specialist, red light running is one of the most dangerous phenomena facing the multiple users of our roadways in Hawaii. Worse yet, without adequate enforcement, "pushing" red lights seems to have become the social norm. Allowing this potentially (and actually) fatal behavior is a perversion of the "drive Aloha" creed. Thank you for your consideration.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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