

FAQ for HB 4105A: Reducing Traffic Deaths with Automated Enforcement

HB 4105A: Purpose, Importance, Impacts

What does HB 4105A do?

- HB 4105A grants narrow authority to trained city employees (in addition to police officers) to perform the administrative role of reviewing violations and signing citations initiated by fixed photo radar and photo red light cameras.
- Gives jurisdictions more efficient access to automated enforcement – a proven safety measure to address the accelerating rise in traffic deaths.

Why is this bill important?

- We must act urgently to slow the tragic local and national trend of rising traffic deaths. To do this, jurisdictions need access to all proven traffic safety measures that will encourage safe driving habits and save lives.
- Automated traffic enforcement is a proven method to address traffic deaths in traffic enforcement while reducing the opportunity for racial bias.
- Data¹ shows that locations with safety cameras see lower top end speeds, which translates to safer travel for all.

Will police officers still be able to review camera citations?

- Yes, the bill allows both police officers and qualified, trained, sworn city employees to review and sign citations.

How do other states review camera citations?

- Nationally, 11 of the 23 states that utilize automated traffic enforcement have jurisdictions that treat review of safety camera citations as an administrative function.²

¹ On average, the 10 Portland intersections outfitted with red-light cameras have had a 44 decrease in crash rate since cameras were installed. Where speed cameras are installed, speeding has dropped by 71 percent. In the same locations, excessive speeding has dropped by 94 percent.

² The 23 states include the District of Columbia. Texas, which recently repealed its automated traffic enforcement law, is excluded from the count. 11 states are home to jurisdictions that do not require sworn law enforcement officers to review traffic-camera citations, including: Arizona; California; Delaware; the District of Columbia; Florida; Illinois; Maryland; New York; North Carolina; Ohio; Washington. All information is drawn from NHTSA survey responses.

What are the financial impacts?

- The bill lowers program costs by allowing trained city staff to review citations as a standard job function, not only as overtime-funded activity.
- Currently in Portland, 100 percent of automated traffic enforcement violation review occurs on police overtime.
- There is no increase in risk or liability since the proposed change simply shifts responsibility to review citations from one city bureau to another.

How will this bill make streets safer?

- Automated safety cameras are an important way to improve traffic safety without adding additional police overtime or increasing the potential for bias in enforcement.
- This bill makes safety camera citation review more efficient by allowing trained administrative staff to review traffic camera citations.

How will “duly authorized traffic enforcement agents” be trained?

- Non-officer citation reviewers will be subject to the same training and accountability measures that police officers currently receive.
- Initial certification includes a hands-on training conducted by the system vendor in accordance with state law. It covers theory, technical information, court procedures, photography principles and privacy requirements.
- The City of Portland plans to have duly authorized traffic agents go through the same extensive background checks that non-officer staff complete before employment with the police bureau.

How is reviewing safety camera citations different from issuing a ticket for a moving violation?

- With automated traffic enforcement, there is no actual traffic “stop.” Instead, the review and issue of automated enforcement citations happens in an administrative context far from where the violation itself occurs.
- In contrast, any citations made by an officer in a photo radar van on the road will still have officer review.

Common questions about automated traffic enforcement (*HB 4105A does not makes changes to the following*):

How do we ensure safety cameras do not target Black or BIPOC neighborhoods?

- Portland has deliberately located cameras in high-crash locations throughout the city to avoid concentrating enforcement in any single area.
- All cameras are located on major streets that serve both city and regional residents.
- Camera siting focuses on locations with a history of dangerous speeding or red-light violations.

How does the safety camera program address concerns about the cost of a citation for low-income drivers?

- Drivers who have not received recent citations can have a citation waived by attending a traffic safety class.
- Class fees can be reduced or waived for lower-income individuals.
- The courts make payment plans available to defendants who are unable to pay a fine.

Does Portland use automated traffic enforcement as a tool for revenue generation?

- No. Portland's automated enforcement program has a cost-neutral structure.
- Revenue generation does not figure in decisions about where to place traffic cameras..
- Law requires all revenue from fixed photo radar enforcement to go toward the cost of the fixed photo radar units and to improve traffic safety for all modes of transportation.
- The long-term goal of Portland's program is, in fact, to see a *decline* in revenue due to safer, slower driving.

Can someone contest a citation?

- Yes. Registered vehicle owners can fill out and mail a "certificate of innocence" that is included with all mailed citations. Information and assistance are provided in multiple languages.
- The citation is dismissed if the recipient was not the driver at the time the offense occurred.

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