

## ATTACHMENT C



*Office of the Town Manager*

# MEMORANDUM

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**TO:** Mayor Collins and Members of the Town Council

**THROUGH:** Kevin Burke, Town Manager

**FROM:** Pete Wingert, Chief of Police  
Jeanette Wiesenhofer, Court Administrator

**DATE:** May 3, 2018

**SUBJECT: Impact of a Photo Enforcement Ban**

Over the course of the past two years, the Arizona House of Representatives approved legislation that would eliminate photo enforcement in Arizona. Since 2015, several bills have been passed that impact the photo enforcement business model, including how process service is completed, banning enforcement cameras on state highways, and mandating law enforcement agency review of photo enforcement citations. A photo enforcement ban bill will be introduced at the legislature again next year. What would the impact to Paradise Valley be if photo enforcement were banned in Arizona?

### **Paradise Valley current photo enforcement program**

- Photo enforcement: 12 fixed sites, 2 mobile vans. Fixed sites all on Lincoln Dr. or Tatum Blvd.
- Photo enforcement: 2017 Monthly data: 5,900 activations, 58% are citations (3,420), 42% Notices of violation (2,480).
- Of the approximately 3,400 monthly citations issued:
  - 50% are paid.
  - 41% are dismissed for no service of process.
  - 5% fail to appear after process service and have licenses suspended.
  - 4% are dismissed after non-driver affidavits.
- The 5,900 monthly activations led to approximately 1,400 monthly adjudicated citations in 2017.
- A notice of violation (NOV) is a notice sent to a vehicle's registered owner that a photo enforcement camera recorded a violation. The NOV asks for the individual to take responsibility for the violation by nominating the driver or admitting that they were the driver.
- Paradise Valley's vendor currently reviews each activation and issues citation or notice of violation as Paradise Valley's duly authorized agent. In 2018, this will change due to a state law change. Four part-time officers have been requested in FY 19 budget to complete this transition.

- For context, all officers combined write about 175 citations monthly and an additional 375 warnings per month (550 total traffic contacts per month).

### **Photo enforcement elimination**

- In 1987, when photo enforcement was installed on Lincoln Dr. in Paradise Valley, collisions town-wide decreased by 42% in the first six months. Over 400 collisions were reported in 1986. In 2017, Paradise Valley had 208 collisions, despite higher traffic counts.
  - Vehicle technology plays a large part in the collision reduction.
  - Insurance Institute of Highway Safety (IIHS) study shows a 45-55% reduction in collisions due to photo enforcement.
  - Higher speeds would likely increase collisions.
  - In the first 3 months of 2018, 57% of Paradise Valley collisions occur on Lincoln Dr. or Tatum Blvd.
  - Based on this data, elimination of photo enforcement could increase collisions on Lincoln or Tatum by one per week, with higher incidents of injury collisions, due to higher speeds.

### **Effective efforts to reduce speeds**

- April 2017, Paradise Valley installed speed display boards prior to two photo enforcement locations.
  - One of those two locations saw a 62% reduction in photo enforcement activations, while the other location saw a 50% reduction in photo enforcement activations.
  - Two more speed display boards are budgeted for FY 19.

### **Officer visibility decreases collisions**

- Paradise Valley Police implemented Data Driven Approaches to Crime and Traffic Safety (DDACTS) in late June 2017. DDACTS is an operational model of high visibility and high enforcement in a specific geographic location.
- PVPD's chosen DDACTS location centered on Lincoln Dr. and Tatum Blvd. and included a one-mile radius from that location.
- Officer visibility and enforcement were increased in the area.
- In seven of the nine months following, collisions town-wide have decreased from the previous year.
- While enforcement activity does not directly correlate to a reduction in collisions, officer visibility seems to decrease collisions.

### **Plan to maintain collision numbers, post photo enforcement**

- Purchase and install several more speed display boards.
- Gather data to include traffic counts and hourly speed averages, hourly 85<sup>th</sup> percentiles, etc.
- Consider road design alternatives to assist in reducing speeds.
- Request four officers, one more motorcycle and one more police vehicle.
  - Implement traffic unit during daylight hours (2 officers Sunday-Wednesday/2 Wednesday-Saturday)
    - High visibility, high enforcement on Lincoln Dr. and Tatum Blvd.
    - Respond to collisions town-wide.

- Re-evaluate staffing needs in Police Department and Municipal Court as full extent of photo enforcement elimination is known.

Additionally, Mayor Collins asked how many photo enforcement reviews one full time person could complete in a one-year period. At the three agencies staff visited, each person can review between 11.46 and 13.75 reviews per hour. So, one full-time person could review between 22,920 and 27,500 activations annually. Paradise Valley has approximately 71,000 activations annually. To review each of the 71,000 activations, based on the available data would take between 2.6 and 3.1 full time employees.

Finally, Mayor Collins also asked for percentages of speeders less than 15mph over the 40mph limit and greater than 15mph over the 40mph posted limit. Below is a breakdown of all photo enforcement cases from FY 15-16 and FY 16-17.

	FY 15-16	FY 16-17
<b>Photo Enforcement Cases</b>	<b>53,012</b>	<b>47,651</b>
Speed (ARS 28-701A)	51,022	44,017
Speed Violations ≤15 mph over speed limit	45,409 (85.6%)	39,417 (82.7%)
Speed Violations 16+ mph over speed limit	5,613 (10.6%)	4,600 (9.6%)
Red-light (ARS 28-645A3a)	1,990 (3.7%)	3,634 (7.6%)

For additional information, 21+ mph over the speed limit is considered a criminal (misdemeanor) violation. However, on photo enforcement violations the town elected not to file long forms for criminal speed and therefore we use the following incremental fine table for PE speed violations:

11-15 mph over speed limit	\$242 (majority)
16-20 mph over speed limit	\$260
21-29 mph over speed limit	\$335 must see judge
30-39 mph over speed limit	\$436 must see judge
40+ mph over speed limit	\$542 must see judge (never seen a PE ticket over 40+)