CITY OF PORTLAND
PHOTO ENFORCEMENT REPORT
2013-2014

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ENTERING
PORTLAND
TRAFFIC LAWS
PHOTO ENFORCED

BACKGROUND – REPORT REQUIREMENTS

The Oregon Revised Statute authorizing photo radar in cities was amended in the Legislative session of 2005. This amendment required cities using photo radar to conduct a process and outcome evaluation once each biennium.

A copy of the amended Statute is included below:

(3) A city that operates a photo radar system under this section shall, once each biennium, conduct a process and outcome evaluation for the purposes of subsection (4) of this section that includes:

(a) The effect of the use of the photo radar system on traffic safety;

(b)The degree of public acceptance of the use of photo radar system; and

(c) The process of administration of the use of the photo radar system.

(4) By March 1 of the year of each regular session of the Legislative Assembly:

(a) The Department of Transportation shall provide to the Legislative Assembly an executive summary of the process and outcome evaluations conducted under subsection (3) of this section; and

(b) Each city that operates a photo radar system under this section shall present to the Legislative Assembly the process and outcome evaluation conducted by the city under subsection (3) of this section. [1995 c.579 1; 1997 c.280 1; 1999 c.1071 1; 2005 c.686 3]

PHOTO-RADAR

I. PHOTO RADAR AND ITS EFFECT ON TRAFFIC SAFETY

A. BACKGROUND

Photo radar is a method of traffic speed enforcement that is used to detect speeding violations and record identifying information about the vehicle and driver automatically. Violation evidence is processed and reviewed in an office environment and violation notices are delivered to the registered owners of identified vehicles after the alleged violation occurs, rather than at the time of the offense.

The City of Portland received authority from the 1995 Legislature to conduct a two year test of photo radar. After a successful test phase, the Legislature extended the use of photo radar. The City of Portland will be entering its 19th year of photo radar operation and the program is a cornerstone of the Portland Police Bureau's efforts to reduce speeding.

The year 2011 marked the first year of our full transition to using digital photo-radar equipment as opposed to the film cameras used since the program was developed. The digital equipment has out-performed the film-based equipment in every way. Most notable is the quality of the high resolution violation photos.

These higher quality images are posted securely online for the violator to review upon receipt of a photo-radar citation. Using a PIN number specific to each violation, the recipient can log into the Xerox website and view high quality images of their violation.

The transition to digital equipment has shown an increase in the citation issuance rate of approximately 25%. This is due not only to the higher quality digital images, but in the reduction of lost deployments due to operator error afforded by the new equipment.

The goals of the Portland Police Bureau's Photo-Enforcement program remain unchanged: **Reduce Speeding, Reduce Crashes, Save Lives**

B. PHOTO RADAR DEPLOYMENT

The Portland City Council, through City Ordinance #172517, has directed the Police Bureau to deploy photo radar in school zones, highway work zones, residential streets, and other streets determined to have an unusually high number of crashes or speeding complaints.

The Traffic Division's emphasis on photo-enforcement has been:

- School zones
- Work zones
- Residential areas
- High crash corridors
- Areas with history of speed related crashes and complaints
- Citizen and police officer requests for photo-radar deployments

School Zones

The Portland Police Bureau remains dedicated to the safety of the numerous school zones throughout our city. Photo-radar has been used extensively for speed enforcement in school zones city-wide. Requests for photo-radar deployments in school zones have come from school administrators, school resource officers, neighbors living near schools, and parents of children attending the schools. We have strived to fulfill every

quest for a school zone deployment that we have received.

Officers conducted over 212 hours of enforcement in school zones when children were present. Over 6400 violations were captured during these deployments, equating to an estimated 30 violations per hour, at an average violation speed of 35 miles per hour.

Our deployment signage complies with state law in regards to school zones without flashing beacons. The school zone deployment signs, meeting the dimensions required under ORS, indicate 'SCHOOL IN SESSION' in addition to the standard admonishment that photo-radar is being deployed. These signs are placed 100-400 yards prior to any photo-radar deployment.

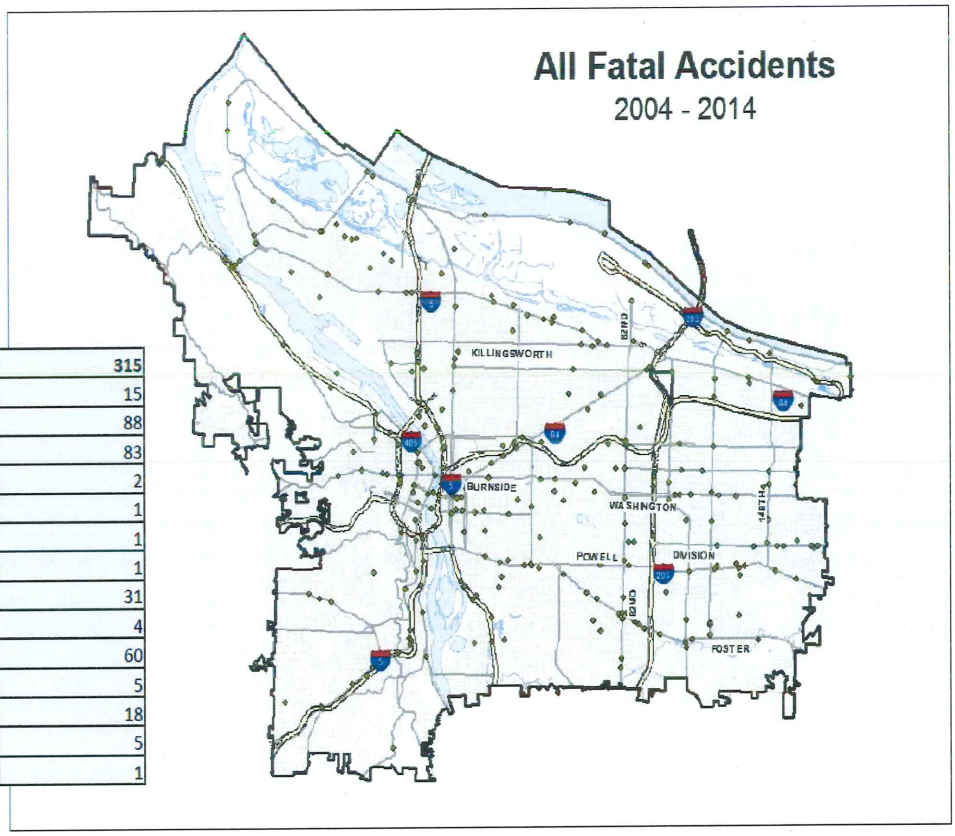
High Crash Corridors

Based on crash data gathered by the Portland Bureau of Transportation, a number of streets and locations throughout the City of Portland have been designated as High Crash Corridors. These locations are taken into consideration when planning photo-radar deployments. Locations currently designated as high crash corridors are:

NE/SE 82nd Ave.
NE/SE 122nd Ave
SE Foster Road
SW Barbur Blvd.
N/NE Marine Drive
SW Beaverton-Hillsdale Highway
SE Division St.
W/E Burnside St.
NE Sandy Blvd.
SE Powell Blvd.

Utilizing statistics from Portland Police Bureau's Crime Analysis Unit, Traffic Division officers strategically deploy vans in problematic area; see addendum for complete report and analysis.

Portland Police Bureau
Crime Analysis Unit



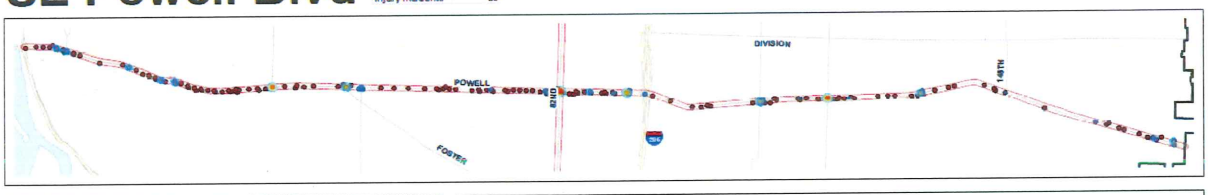
TOTALS	315
BICYCLE	15
OTHER MV	88
PED	83
TRAIN	2
UNSPECIFIED	1
FALLEN TREE	1
FALL FROM BUS	1
FIXED OBJECT	31
OVERTURN	4
RAN OFF ROAD	60
HIT AND RUN – BICYCLE	5
HIT AND RUN – PED	18
HIT AND RUN – VEH	5
HIT AND RUN – MTRCYCLE	1

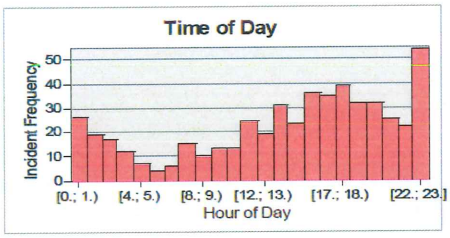
(Not all 2014 data is included)

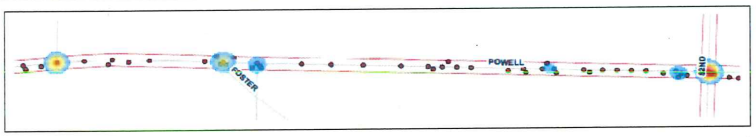
High Crash Corridor Incidents

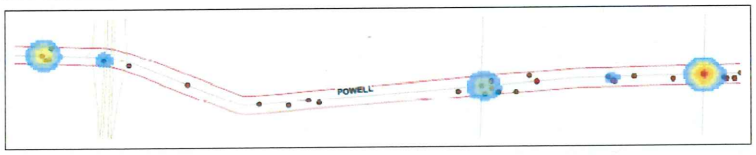
SE Powell Blvd

Total Incidents 514
Injury Incidents 59



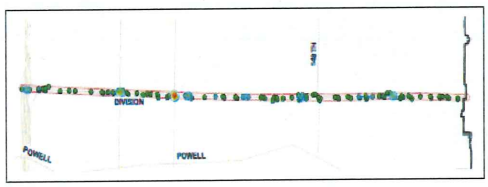


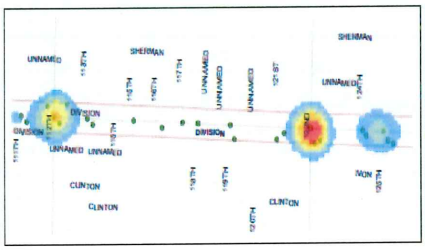


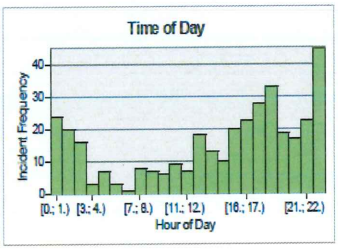


SE Division St

Total Incidents 360
Injury Incidents 26

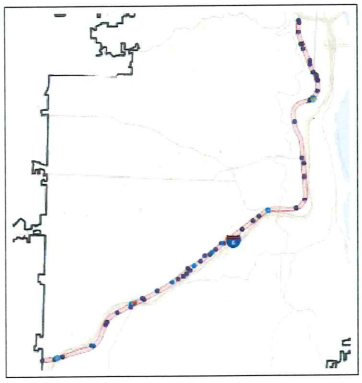


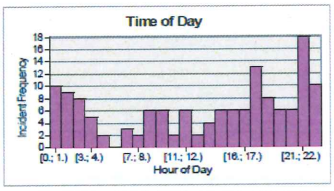


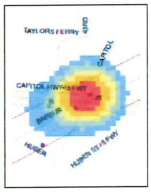


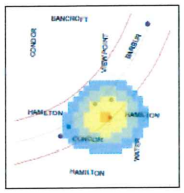
SW Barbur Blvd

Total Incidents 144
Injury Incidents 16

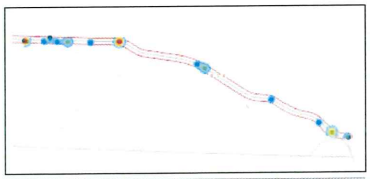


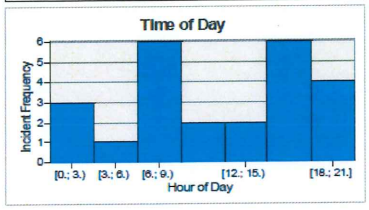




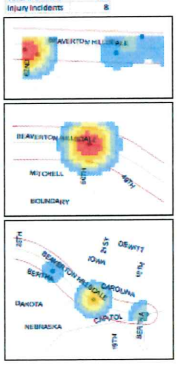


SW Beaverton Hillsdale Hwy





Total Incidents 24
Injury Incidents 8



Highway Work Zone

Photo-radar has been used to enforce work zone speed limits throughout 2013 and 2014 in the following work zones: Highway 99W/Barbur Boulevard Project and most currently in the Sellwood Bridge/Hwy 43 project.

During the past two years of the Sellwood Bridge Project over 7100 photo enforcement violations were captured when workers were present, with an average issued speed of 39 miles per hour in a posted 25mph zone.

Likewise, during the Barbur Boulevard Project (June – October 2014) over 1750 violations were captured with workers present at an average issued speed of 47 miles per hour.

The use of photo-enforcement in state highway zones has proven to be a very effective use of police resources. Photo-enforcement in state highway work zones is done in strict compliance with ORS.811.439, Section 4:

Sec. 4. Highway work zone. *(1) The Department of Transportation may operate photo radar within a highway work zone that is located on a state highway, except for a highway work zone located on an interstate highway.*

(2) The department, at its own cost, may ask a jurisdiction authorized to operate photo radar under ORS 810.438 (1) or the Oregon State Police to operate a photo radar unit in a highway work zone on a state highway, except for a highway work zone located on an interstate highway.

(3) A photo radar unit operated under this section may not be used unless a sign is posted announcing that photo radar is in use. The sign posted under this subsection must be all of the following:

(7) Located on the state highway on which the photo radar unit is being used.

(b) Between 100 and 400 yards before the location of the photo radar unit.

(4) The department shall, once each biennium, conduct a process and outcome evaluation for the purposes of subsection (5) of this section that includes:

(7) The effect of the use of photo radar on traffic safety;

(b) The degree of public acceptance of the use of photo radar; and

© The process of administration of the use of photo radar.

(5) The department shall report to the Legislative Assembly by March 1 of each odd-numbered year.

(6) As used in this section, "highway work zone" has the meaning given that term in ORS 811.230. [2007 c.634 §4]

Sec. 5. Highway work zone; citation. *(1) Notwithstanding any other provision of law, when a jurisdiction or the Oregon State Police uses photo radar in a highway work zone:*

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

(7) The photo radar unit is operated by a uniformed police officer.

(B) The photo radar unit is operated out of a marked police vehicle.

© An indication of the actual speed of the vehicle is displayed within 150 feet of the location of the photo radar unit.

(D) The citation is mailed to the registered owner of the vehicle within six business days of the alleged violation.

(E) The registered owner is given 30 days from the date the citation is mailed to respond to the citation.

(F) One or more highway workers are present. For the purposes of this subparagraph, "highway workers" has the meaning given that term in ORS 811.230.

(G) The jurisdiction operating photo radar complies with the requirements described in section 4 of this 2007 Act.

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

© A person issued a citation under this subsection may respond to the citation by submitting a certificate of innocence or a certificate of nonliability under subsection (3) of this section or may make any other response allowed by law.

(2) A citation issued on the basis of photo radar may be delivered by mail or otherwise to the registered owner of the vehicle or to the driver. The citation may be prepared on a digital medium and the signature may be electronic in accordance with the provisions of ORS 84.001 to 84.061.

(3)(a) A registered owner of a vehicle may respond by mail to a citation issued under subsection (1) of this section by submitting, within 30 days from the mailing of the citation, a certificate of innocence swearing or affirming that the owner was not the driver of the vehicle and by providing a photocopy of the owner's driver license. A jurisdiction that receives a certificate of innocence under this paragraph shall dismiss the citation without requiring a court appearance by the registered owner or any other information from the registered owner other than the swearing or affirmation and the photocopy. The citation may be reissued only once, only to the registered owner and only if the jurisdiction verifies that the registered owner appears to have been the driver at the time of the violation. A registered owner may not submit a certificate of innocence in response to a reissued citation.

(b) If a business or public agency responds to a citation issued under subsection (1) of this section by submitting, within 30 days from the mailing of the citation, a certificate of nonliability stating that at the time of the alleged speeding violation the vehicle was in the custody and control of an employee, or was in the custody and control of a renter or lessee under the terms of a rental agreement or lease, and if the business or public agency provides the driver license number, name and address of the employee, renter or lessee, the citation shall be dismissed with respect to the business or public agency. The citation may then be issued and delivered by mail or otherwise to the employee, renter or lessee identified in the certificate of nonliability.

(4) If the person named as the registered owner of a vehicle in the current records of the Department of Transportation fails to respond to a citation issued under subsection (1) of this section, a default judgment under ORS 153.102 may be entered for failure to appear after notice has been given that the judgment will be entered.

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

(6) A registered owner, employee, renter or lessee against whom a judgment for failure to appear is entered may move the court to relieve the registered owner, employee, renter or lessee from the judgment as provided in ORS 153.105 if the failure to appear was due to mistake, inadvertence, surprise or excusable neglect.

(7) As used in this section, "highway work zone" has the meaning given that term in ORS 811.230. [2007 c.634 §5]

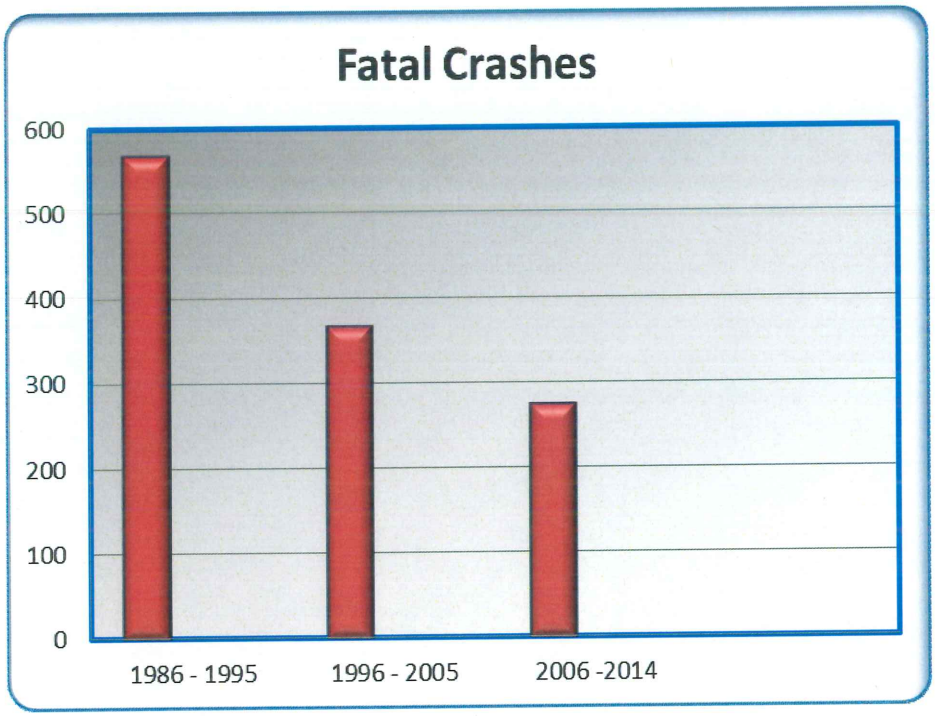
***Sec. 6.** Sections 4 and 5 of this 2007 Act are repealed on December 31, 2014. [2007 c.634 §6]*

One of the provisions of ORS 811.439 in regards to using photo-radar in a state highway work zone is that *one or more highway workers must be present*. To ensure compliance with this provision, officers deploying photo-radar on any given date will check-in with the project manager to ensure that work is being conducted. The officer will visually verify the presence of one or more "highway workers" and record that in a notation on the photo-radar deployment log.

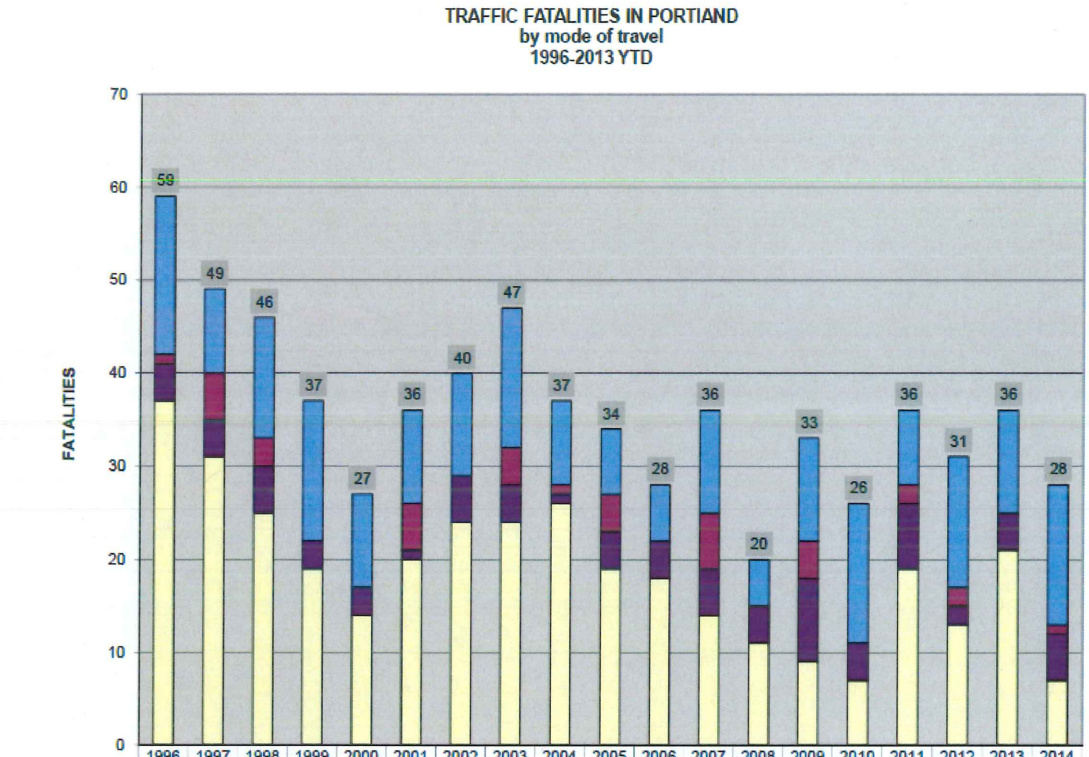
C. IMPROVEMENTS IN TRAFFIC SAFETY

Studies have shown that photo-enforcement has been effective in reducing speeding within the boundaries of the City of Portland. The trend is clearly visible that with increasing exposure to photo radar, the percent of vehicles that were exceeding the posted speed limit has been decreasing. A possible interpretation of this trend is that photo radar vans are decreasing vehicle speeds; in turn, this could be assumed to be decreasing speed related crashes. As people have become more familiar with the photo radar vans and their deployments, they have learned to slow down.

Prior to the conception of photo radar in Portland, fatality rates were substantially higher than they are today. The decade before the program began (1986 – 1995) the annual fatality rate averaged 56.8 traffic related deaths per year. The decade after the photo enforcement program was introduced (1997 – 2005), fatality rates decreased to an annual average of 36.6 fatalities. During the past nine years, as the photo enforcement program has grown (2006-2014), fatalities have dropped to an annual average of 30.5 traffic related deaths. See graph below.



The table below illustrates the decline in fatal crashes since the inception of the photo-enforcement program.



	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
All Fatals	59	49	46	37	27	36	40	47	37	34	28	36	20	33	26	36	31	36	28
Ped Fatal	17	9	13	15	10	10	11	15	9	7	6	11	5	11	15	8	14	11	15
Bike Fatal	1	5	3	0	0	5	0	4	1	4	0	6	0	4	0	2	2	0	1
Motorcycle Fatal	4	4	5	3	3	1	5	4	1	4	4	5	4	9	4	7	2	4	5
Motorist Fatal	37	31	25	19	14	20	24	24	26	19	18	14	11	9	7	19	13	21	7

Top 5 Photo-Radar Deployment locations in 2013:

1. SW Macadam @ 2500 Block [Highway Work Zone]
2. N.E. Lombard @ 2200 Block [Residential Street]
3. SW Beaverton Hillsdale Hwy @ 2500 Block [Pedestrian corridor]
4. NE 148th @ 2300 Block [School Zone]
5. NW St. Helens @ 11200 Block

Top 5 Photo-Radar Deployment locations in 2014:

1. NE Sandy Blvd @ 10800 Block [Traffic safety issue]
2. SE Hawthorne St @ 2400 block [Pedestrian corridor]
3. SW Beaverton-Hillsdale Hwy @ 2500 Block [High crash corridor]
4. NE 148th @ 2300 Block [School Zone]
5. SE Tacoma St @ 2000 Block [Traffic safety issue]

	2013	2014
Enforcement Hours	1,990	2201
Vehicles Monitored	806086	968687
Violations Captured	39869	56981
Citations Issued	28072	33486

II. PHOTO RADAR PROCESS OF ADMINISTRATION

The basic steps involved in issuing a photo radar citation are:

1. Violation detection
2. Violation processing
3. Quality control checks
4. Citation review and approval by the police officer
5. Citation mailing

1. Violation detection occurs when a police officer operating a marked police vehicle visually observes a violation. The police officer also hears an audible signal indicating the violator speed. The officer maintains an observation log at each deployment and takes notes of each violation.

   At least three photographs are generated for each violation. These include the vehicle in the radar beam approaching the police vehicle, a close up photo of the driver in the violation vehicle, and a close up picture of the violation vehicle license plate. The violation vehicle's speed is displayed on a reader board at the back of the photo radar vehicle.

   The police officer maintains a checklist for each deployment to document that they are following all of the technical procedures for operating the photo radar equipment.

2. Violation processing:

   Violation images are downloaded from the laptop computer aboard the photo-radar van each day by our vendor, Xerox State and Local Solutions [Formerly ACS]. Those images are sent electronically to the vendor's processing facility.

   If they can identify the license plate, they send a request to the Oregon Department of Motor Vehicle (DMV) for the registered owner information. The DMV sends this information back to Xerox. The pertinent details of the violation (such as location, date, time, speed, etc.) are reviewed by the vendor along with the registered owner information.

3. The vendor discards violations where there is no gender match to the registered owner or owners. They also discard any violations where the driver is not identifiable due to factors such as glare, face blocked by a visor, etc.

4. Any violations that pass this first screening by Xerox are then sent to the issuing police officer as citations. The issuing police officer reviews the citations for accuracy and electronically signs them. The approved citations are sent back to Xerox for issuing.

5. Xerox then mails this citation, along with a photo from the violation, to the registered owner. This citation must be mailed to the registered owner within six (6) business days to remain in compliance with Oregon law. The registered owner has thirty (30) days to respond to this citation. They are afforded all of the same rights as a defendant would have with any traffic violation. The citation is processed through the State of Oregon Court system. The presumption in Oregon is that the registered owner is the driver at the time of the violation.

   If the registered owner was not driving the vehicle when the violation occurred, they may file a Certificate of Innocence with the Circuit Court, at which time the citation will be dismissed. A Certificate of Innocence is included with each citation.

   The Police Bureau's photo radar program manager subsequently reviews these Certificates of Innocence for accuracy.

III. PUBLIC ACCEPTANCE OF PHOTO RADAR

The City of Portland has been monitoring public opinion of photo radar over the years of deployment and enjoys a strong public acceptance of photo radar as a valuable tool against speeding. In September 1996, a public opinion poll was conducted that showed 74% of city residents approved of photo radar use in neighborhoods. This same poll showed that 89% of city residents approved of photo radar use in school zones.

In 2003, a public opinion poll was conducted by Davis & Hibbitts, Inc. showed that 87% of city residents were concerned about speeding.

Again in 2005, the public opinion firm of Davis, Hibbitts and Midghall, Inc. (DHM) conducted a telephone survey poll of Portland residents. Four hundred interviews were conducted and the purpose of the survey was to assess the impact of photo radar use in school zones. In this survey 68% of the respondents agreed with the use of photo radar in school zones. This survey also showed that 85% of the respondents would drive slower all of the time if they saw photo radar being used at least three times per week.

In 2010 the Portland Police Bureau's photo-enforcement program was selected for review as part of a study done for the National Cooperative Highway Research Program [NHRCP]. Our program was one of only five programs nationwide to be selected for review. Our program was selected because of its longevity, continued success, and continued public support. In that review, we stressed the importance of maintaining the public's trust and running a transparent program.

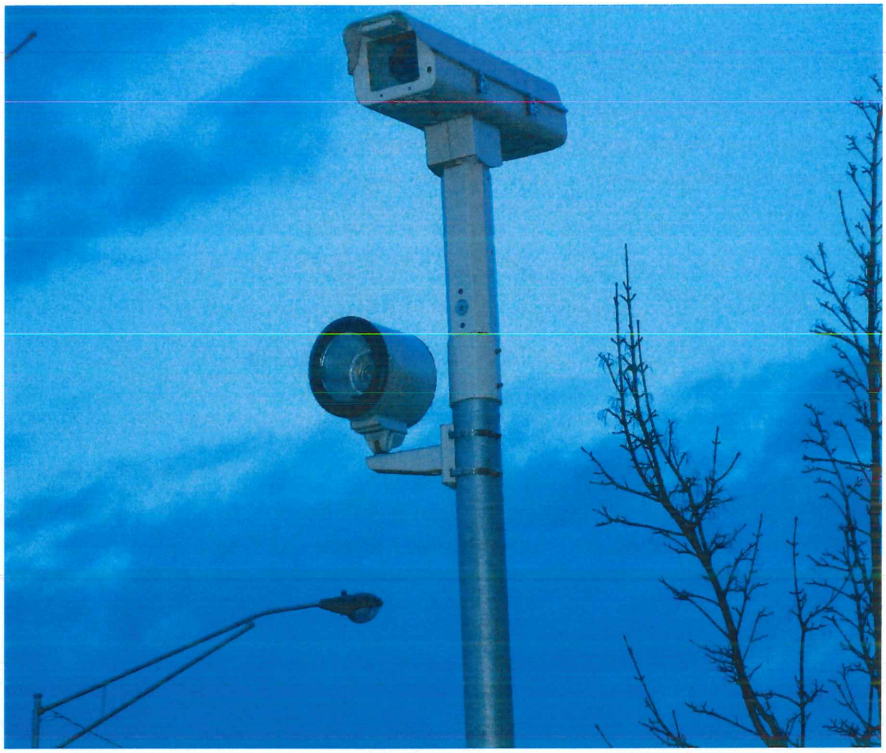
Currently, the Traffic Division and Bureau of Transportation routinely receive an overwhelming amount of requests from schools, neighborhood organizations and citizens specifically requesting the deployment of photo enforcement vans in order to enforce speed and curb aggressive driving. In the coming year, the Portland Police Bureau will again be conducting public surveys.

PUBLIC EDUCATION

In order to change behavior, the Portland Police Bureau recognizes the importance and value of educating the public on driver safety in areas photo enforcement is operated. Plans are currently underway to birth a photo enforcement safety class which will act as a catalyst for education, bringing about greater awareness and leverage the benefit of the program.

The Portland Police Bureau initiated and has maintained information about red light cameras at http://www.portlandoregon.gov/police/30559 (see appendix).

RED LIGHT CAMERA



Primary contact for this program is:

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david.abrahamson@portlandoregon.gov

Contractor Information:

Vincent K. Parke
Xerox Corporation
Northwest Regional Program Manager

BACKGROUND-REPORT REQUIREMENTS

810.434 Photo red light; operation; evaluation. (1) Any city may, at its own cost, operate cameras designed to photograph drivers who violate ORS 811.265 by failing to obey a traffic control device.

(2) Cameras operated under this section may be mounted on street lights or put in other suitable places.

(3) A city that chooses to operate a camera shall:

(a) Provide a public information campaign to inform local drivers about the use of cameras before citations are actually issued; and

(b) Once each biennium, conduct a process and outcome evaluation for the purposes of subsection (4) of this section that includes:

(A) The effect of the use of cameras on traffic safety;

(B) The degree of public acceptance of the use of cameras; and

(C) The process of administration of the use of cameras.

(4) By March 1 of each odd-numbered year, each city that operates a camera under this section shall present to the Legislative Assembly the process and outcome evaluation conducted by the city under subsection (3) of this section. [1999 c.851 §1; 1999 c.1051 §327; 2001 c.474 §1; subsection (5) of 2001 Edition enacted as 2001 c.474 §3; 2003 c.14 §491; 2003 c.339 §1; 2005 c.686 §1; 2007 c.640 §1; 2011 c.545 §65]

1. BACKGROUND:

The City of Portland received authority from the 2000 Legislature to implement the use of red light cameras to enforce O.R.S. 811.265, which covers disobeying traffic control devices. Using traffic volume and crash data provided by the Portland Bureau of Transportation, four (4) intersections, with a total of five (5) cameras were initially chosen as test project for this technology. The initial five cameras were activated in October, 2001 and January, 2002.

With the success of the testing phase, the red light camera program was expanded over the following 7 years to the current 11 red light cameras in use at 10 intersections.

Portland's 11 red light cameras are currently functioning at 10 intersections; installation date and enforcing direction is as follows:

- E Burnside at Grand Avenue, northbound approach, 10/2001
- NE Sandy Blvd at Cesar E. Chavez Blvd, westbound approach, 10/2001
- NE Cesar E. Chavez Blvd. at NE Sandy Blvd, northbound approach, 10/2001
- SE Grand Avenue at Madison Street, northbound approach, 01/2002
- W Burnside at 19th Avenue, eastbound approach, 01/2002
- NE Broadway at Grand Avenue, westbound approach, 04/2003
- SE Stark St at SE 102nd Avenue, westbound approach, 08/2008
- SW 4th Ave at SW Jefferson St, northbound approach, 10/2007
- SE Washington St at SE 103rd Avenue, eastbound approach, 02/2008
- SE Stark St at SE 99th Avenue, westbound approach, 08/2008
- SE Foster Rd at SE 96th Ave, westbound approach, 05/2009

The City of Portland is committed to ensuring that all traffic signage is up to date and in conformance with Oregon law and MUTCD standards for automated enforcement.

2. IMPROVEMENTS ON TRAFFIC SAFETY

To select locations for red light photo enforcement, we conducted an analysis of intersections within the city. Intersections were selected for the program based on a significant crash history attributed to disregard of the traffic signal.

Crash data provides a strong understanding of where crashes occur, crash type, and crash severity. We have seen reductions in injury crashes, total crashes, angle, rear-end and turning crashes, as well as red light running violations, at all intersections with photo enforcement.

Portland's experience with red light cameras has been positive. While there remain challenges with drawing specific conclusions about the direct impact of red light cameras, very positive trends are occurring at intersections with red light camera enforcement.

Injury crashes decreased at enforced locations for the enforced direction of traffic as well as the entire intersection. Annual average crashes decreased at the enforced approaches as well as the whole intersections.

Violations Captured

	2013	2014
Violations Captured	21723	23201
Citations Issued	11762	11196

During the two previous two biennial periods (2009-2012), there was an annual average of 77.75 crashes at red light camera intersections. In contrast, during 2013 and 2014 there was a significant reduction, with an annual average of 47.5 crashes at these locations. Right angle crashes, which are commonly caused from red light running, and known to be dangerous, accounted for at least 41% of all crashes between 2009 and 2014 (165 right angle crashes; 401 crashes total).

Bienniel Crash Comparison
vs. prevoius 4 year period

Location	2013	2014	Bienniel Total	Bienniel Average	2009-2012 Average	Reduction/Increase
NE Cesar Chavez / Sandy Blvd	5	5	10	5	5.5	-0.5
NE Grand / Burnside	5	1	6	3	7.75	-4.75
W Burnside / 19th	5	9	14	7	2.75	4.25
SE Grand / Madison	3	2	5	2.5	5.25	-2.75
NE Grand / Broadway	8	7	15	7.5	15	-7.5
SW 4th / Jefferson	2	1	3	1.5	2.75	-1.25
SE Washington / 103rd	9	6	15	7.5	8.75	-1.25
SE Stark / 99th	4	6	10	5	8.25	-3.25
SE Stark / 102nd	3	8	11	5.5	9.25	-3.75
SE Foster / 96th	3	3	6	3	12.5	-9.5

As the cost of crashes on government and the public is exponential, the reduction of crashes at these locations has been a profitable investment of time and resources, and the economic savings substantial.

3. RED LIGHT CAMERA PROCESS AND ADMINISTRATION

810.436 Citations based on photo red light; response to citation. (1) Notwithstanding any other provision of law, if a city chooses to operate a camera that complies with this section and ORS 810.434, a citation for violation of ORS 811.265 may be issued on the basis of photographs from a camera taken without the presence of a police officer if the following conditions are met:

(a) Signs are posted, so far as is practicable, on all major routes entering the jurisdiction indicating that compliance with traffic control devices is enforced through cameras.

(b) For each traffic control device at which a camera is installed, signs indicating that a camera may be in operation at the device are posted before the device at a location near the device.

(c) If the traffic control device is a traffic light, the yellow light shows for at least the

length of time recommended by the standard set by the Institute of Transportation Engineers.

(d) The citation is mailed to the registered owner of the vehicle, or to the driver if identifiable, within 10 business days of the alleged violation.

(e) The registered owner is given 30 days from the date the citation is mailed to respond to the citation.

(f) A police officer who has reviewed the photograph signs the citation. The citation may be prepared on a digital medium, and the signature may be electronic in accordance with the provisions of ORS 84.001 to 84.061.

(2) If the person named as the registered owner of a vehicle in the current records of the Department of Transportation fails to respond to a citation issued under subsection (1) of this section, a default judgment under ORS 153.102 may be entered for failure to appear after notice has been given that the judgment will be entered.

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

(4) A person issued a citation under subsection (1) of this section may respond to the citation by submitting a certificate of innocence or a certificate of non-liability under subsection (6) of this section or any other response allowed by law.

(5) A citation for violation of ORS 811.265 issued on the basis of photographs from a camera installed as provided in this section and ORS 810.434 may be delivered by mail or otherwise to the registered owner of the vehicle or to the driver if the driver is identifiable from the photograph.

(6)(a) A registered owner of a vehicle may respond by mail to a citation issued under subsection (1) of this section by submitting, within 30 days from the mailing of the citation, a certificate of innocence swearing or affirming that the owner was not the driver of the vehicle and by providing a photocopy of the owner's driver license. A jurisdiction that receives a certificate of innocence under this paragraph shall dismiss the citation without requiring a court appearance by the registered owner or any other information from the registered owner other than the swearing or affirmation and the photocopy. The citation may be reissued only once, only to the registered owner and only if the jurisdiction verifies that the registered owner appears to have been the driver at the time of the violation. A registered owner may not submit a certificate of innocence in response to a reissued citation.

(b) If a business or public agency responds to a citation issued under subsection (1) of this section by submitting, within 30 days from the mailing of the citation, a certificate of non-liability stating that at the time of the alleged violation the vehicle was in the custody and control of an employee or was in the custody and control of a renter or lessee under the terms of a motor vehicle rental agreement or lease, and if the business or public agency provides the driver license number, name and address of the employee, renter or lessee, the citation shall be dismissed with respect to the business or public agency. The citation may then be reissued and delivered by mail or otherwise to the employee, renter or lessee identified in the certificate of non-liability.

(7) The penalties for and all consequences of a violation of ORS 811.265 initiated by the use of a camera installed as provided in this section and ORS 810.434 are the same as for a violation initiated by any other means.

(8) A registered owner or an employee, renter or lessee against whom a judgment for

failure to appear is entered may move the court to relieve the owner or the employee, renter or lessee from the judgment as provided in ORS 153.105 if the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. [1999 c.851 §2; 2001 c.104 §305; 2001 c.474 §2; 2001 c.535 §30a; 2003 c.14 §493; 2003 c.339 §3; 2005 c.686 §2; 2007 c.640 §2]

The administrative process for photo red light enforcement includes citation processing and issuance, delivery, payment, and adjudication.

Citations are processed by the vendor, Xerox State and Local Solutions, in accordance with a multi-step process that ensures that the violation image, violation data, and owner information are as accurate as possible. If any of this evidence does not meet stringent quality control standards, citations are not issued.

Violation/Citation Processing

The vendor operates the cameras and retrieves digital data from each camera for processing each business day. The images and data are then screened by the vendor. If a license plate can be identified, a request is sent to the Oregon DMV for the registered owner information. Once DMV information is obtained, it will be reviewed along with pertinent details of the violation.

The vendor discards violations where there is no gender match to the registered owner, or owners. They also discard any violations where the driver is not identifiable due to factors such as window glare, facial obstructions, etc.

Any violation that passes the first screening by Xerox is put into citation form and placed into a secure database for police officer review. A Portland police officer certified in red light camera enforcement will review each citation/violation for accuracy. This includes viewing a video clip of the violation. If the citation passes police officer review, and it is determined that a violation has occurred, the citation is electronically signed and returned to Xerox for issuance.

Xerox will mail each citation, along with a photo from the violation, to the registered owner. This citation must be mailed within ten (10) business days of the violation to remain in compliance with ORS 810.436. The recipient is also given a PIN number and directions to access the Xerox website. On this website they can view high resolution images of the violation as well as the 12 second video clip taken by the red light camera.

The registered owner has thirty (30) days to respond to this citation. They are afforded all of the same rights as a defendant would have with any traffic violation. The citation is processed with the state of Oregon court system. The presumption in Oregon is that the registered owner is the driver at the time of the violation.

If the registered owner was not driving the vehicle when the violation occurred, he or she may file a Certificate of Innocence with the Circuit Court, at which time the citation will be dismissed. A Certificate of Innocence is included with each citation.

The Portland Police Bureau's photo-enforcement project manager subsequently reviews the Certificates of Innocence for accuracy.

The Portland Police Bureau initiated and has maintained information about red light cameras at http://www.portlandoregon.gov/police/30559, which can be referenced by the public.

4. PUBLIC ACCEPTANCE

Upon first implementation of the Photo Red Light Program, the City of Portland initiated public outreach for photo enforcement as a part of efforts to educate the public as outlined in previous biennial reports.

With the upgrade and installation to an all-digital format of red light cameras within that last two years, numerous reports have appeared in print and broadcast media explaining their function to the community. In addition Portland Police Bureau maintains a web site regarding information about red light cameras.

Public approval of red light cameras in Portland remains high. Based on a 2003 survey of Portland residents by Davis & Hibbits, they found that red light running is their second highest traffic safety concern.

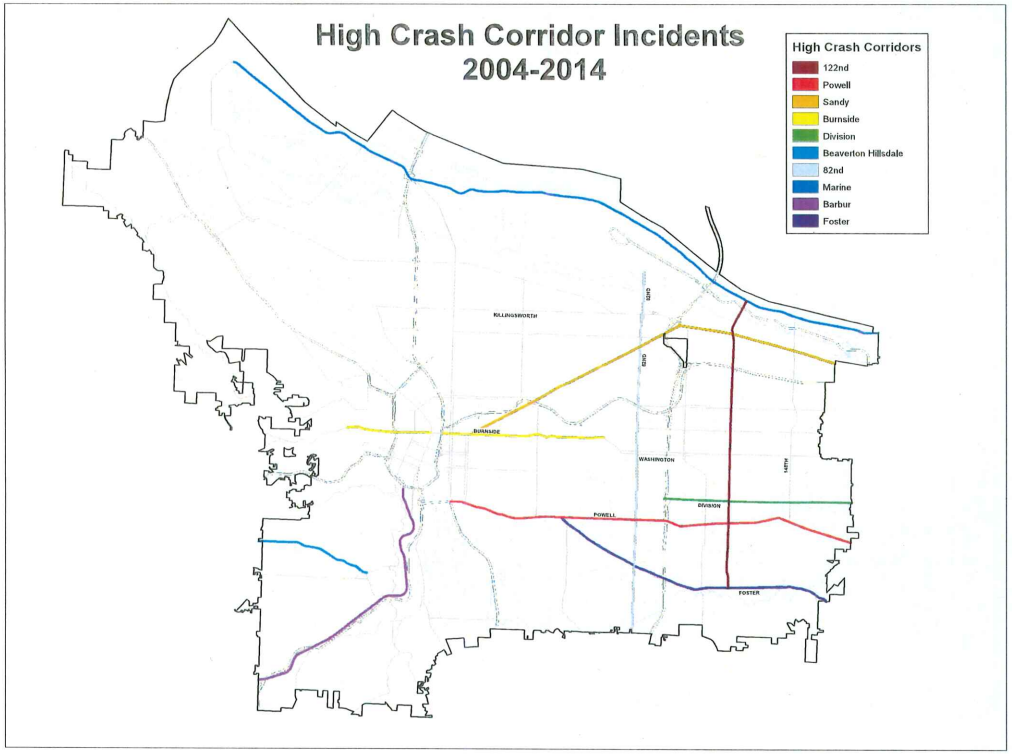
Portland residents view red light cameras as an important part of the solution to red light running. In the same 2003 survey, 71% of Portland residents reported that they support additional red light camera locations being installed in the City of Portland.

Again in 2005, the public opinion firm of Davis, Hibbitts and Midghall, Inc. (DHM) conducted a telephone survey poll of Portland residents. Four hundred interviews were conducted and the purpose of the survey was to assess the impact of photo radar use in school zones. In this survey 68% of the respondents agreed with the use of photo radar in school zones. This survey also showed that 85% of the respondents would drive slower all of the time if they saw photo radar being used at least three times per week.

In 2010 the Portland Police Bureau's photo-enforcement program was selected for review as part of a study done for the National Cooperative Highway Research Program [NHRCP]. Our program was one of only five programs nationwide to be selected for review. Our program was selected because of its longevity, continued success, and continued public support. In that review, we stressed the importance of maintaining the public's trust and running a transparent program.

5. EDUCATION

Developing a proactive traffic safety program which educates the public is one of the best ways to control burdensome costs on government which are incurred from crashes. In order to change behavior, the Portland Police Bureau recognizes the importance and value of educating the public on driver safety in areas photo enforcement is operated. Plans are currently underway to birth a photo enforcement safety class which will act as a catalyst for education, bringing about greater awareness and leverage the benefit of the program.



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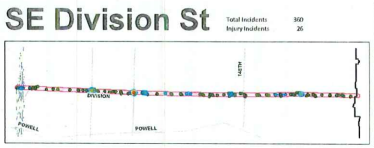

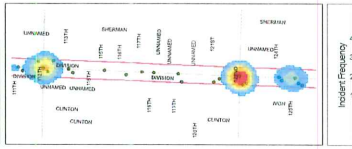

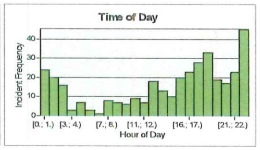

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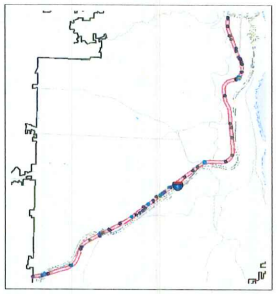

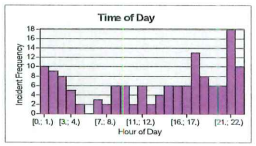

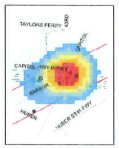

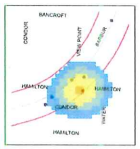

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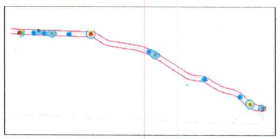

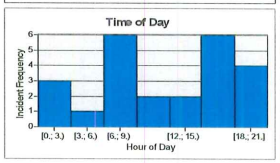

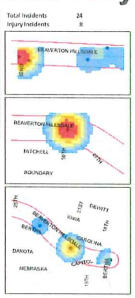

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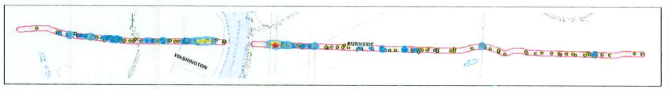

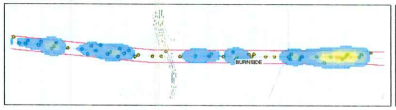

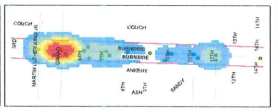

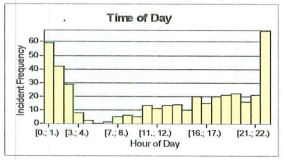

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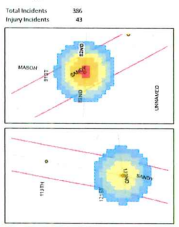

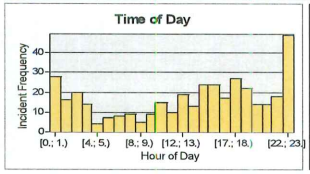

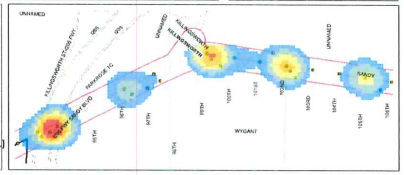

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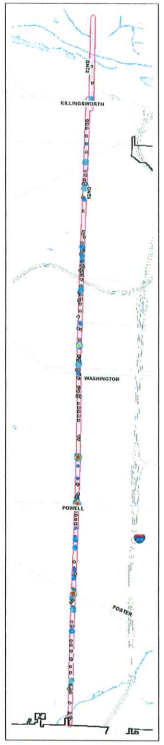

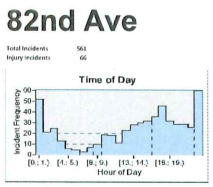

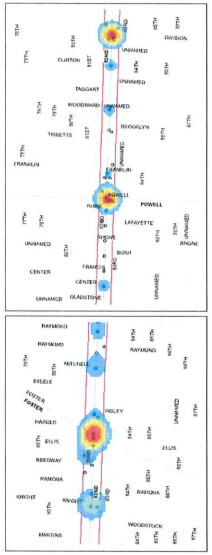

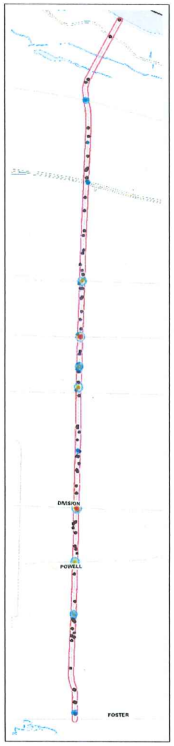

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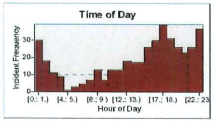

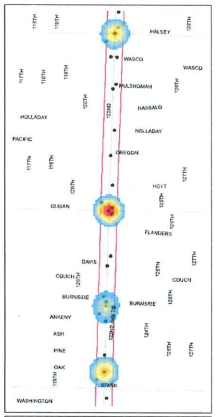

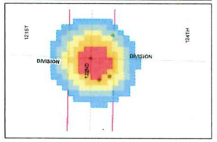

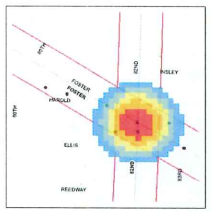

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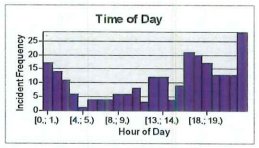

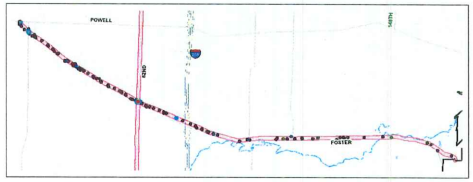

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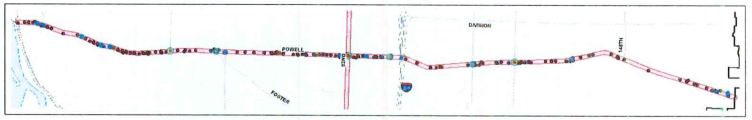

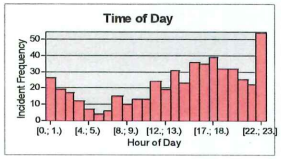

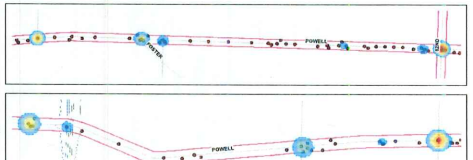
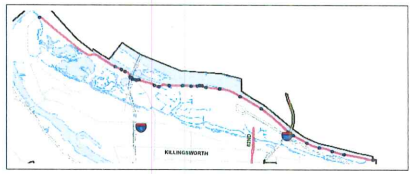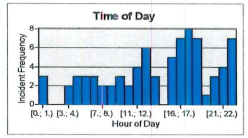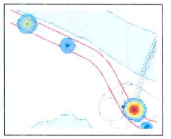
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