

## REPORT OF THE CHIEF LEGISLATIVE ANALYST

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DATE: May 7, 2013

TO: Honorable Members of the Rules, Elections and Intergovernmental Relations  
Committee

FROM: Gerry F. Miller *Gerry F. Miller* Council File No: 13-0002-S60  
Chief Legislative Analyst Assignment No: 13-04-0307

SUBJECT: Resolution (Parks - Perry) to support AB 666, legislation which would require registered owners of a car claiming innocence for a violation captured by a red light camera to pay the citation

CLA RECOMMENDATION: Adopt Resolution (Parks- Perry) to include in the City's 2013 – 2014 State Legislative Program SUPPORT for AB 666 (Wieckowski), which would amend current law to require the registered owner of a car to pay for a violation captured by a red light camera regardless of any claims of innocence, and makes these violations a civil penalty.

### SUMMARY

On April 12, 2013, a Resolution (Parks - Perry) was introduced to support AB 666 (Wieckowski), legislation which would amend current law regarding red light camera citations. The Resolution states that AB 666 would require the registered owner of a vehicle to pay for any citation issued as a result of a violation captured by a red light camera, regardless of any claims that they were not operating the vehicle, unless they can identify the person responsible for the violation. Further, the Resolution states AB 666 would also reduce violations captured by red light cameras to civil violations, reducing the cost of the fines associated with red light camera citations.

The Resolution states that numerous individuals cited for red light camera violations deny they were driving their vehicle at the time of the citation, making these infractions difficult to enforce. Further, the Resolution states that numerous individuals challenge red light camera citations because they are expensive, and that lowering the cost of these tickets would improve enforcement of the law without tying up the court system. The Resolution, therefore, seeks an official position of the City of Los Angeles to support AB 666, which would amend current law to require that the registered owner of a car cited for a violation captured by a red light camera pay the citation, even if they claim innocence but cannot identify the party responsible, and would make an infraction recorded by a red light camera a civil penalty as opposed to a criminal one.

### BACKGROUND

Automated traffic enforcement systems, commonly referred to as red light cameras, have been installed and utilized by jurisdictions across California in an effort to reduce incidences of individuals running red lights. These cameras not only enable jurisdictions to cite violators, but also act as a deterrent against illegal behavior. Red light cameras are thought by many

transportation advocates to be effective tools in efforts to promote safety, as individuals who run red lights pose a significant threat to the safety of pedestrians, cyclists, and other motorists.

However, these citations are difficult to enforce, as motorists who are not clearly identifiable in pictures taken by red light cameras can claim they were not driving and avoid paying the fine. In these situations, a non-binding citation is issued to the registered owner, who can ignore or deny responsibility for the violation without any consequence. According to media reports, less than 40% of photos taken by a red light camera result in a citation. Further, a large number of people who are cited challenge their citations in court, tying up scarce judicial resources. This is partially caused by the expensive nature of red light citations. AB 666 seeks to address these shortcomings.

Under AB 666, the registered owner of a vehicle would be legally responsible for any citation issued against their vehicle, unless they can identify the responsible party. Also, AB 666 reduces a red light camera violation from a criminal penalty to a civil penalty. This would make the violation similar to a parking ticket, and would change how these citations are appealed, reducing the strain on the court system created by these citations. This would also lower the cost of a red light camera citation, thereby removing one of the most significant reasons that individuals appeal.


AB 666 addresses the shortcoming of the current laws, and would allow local jurisdictions to more effectively enforce red light camera citations, increase safety and continue in efforts to reduce incidents of red light violations.

DEPARTMENTS NOTIFIED

Police Department

BILL STATUS

02/22/2013	Bill introduced
03/19/2013	Referred to Committees on Judiciary and Transit
04/23/2013	in Committee: hearing postponed by committee

  
Joshua Drake  
Analyst

GFM:MF:jwd

Attachment: Resolution (Parks - Perry)

13-0002-560

APR 12 2013

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, individuals who run red lights pose a threat to the safety of other motorists, pedestrians, and cyclists; and

WHEREAS, current law allows local jurisdictions to utilize automated traffic enforcement systems, commonly referred to as red light cameras, to enforce traffic laws in order to cite individuals who are photographed running red lights; and

WHEREAS, these cameras have been a useful in efforts to deter individuals from running red lights or otherwise driving in an unsafe manner; and

WHEREAS, while these cameras have been effective, some owners of cars cited via red light cameras avoid paying a fine by claiming they were not operating their vehicle during the violation; and

WHEREAS, numerous individuals cited for a violation recorded by a red light camera ignore or challenge the tickets in court, making these infractions more difficult to enforce; and

WHEREAS, AB 666 (Wieckowski) would require the registered owner of a vehicle to pay the citation regardless of any claims that they were not operating the vehicle, unless they can identify the individual responsible for the violation; and

WHEREAS, AB 666 would also amend the current law to make a citation resulting from a red light camera a civil violation, thereby reducing the fine and subjecting these violations to administrative appeal in order to reduce the amount of contested violations;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013 - 2014 State Legislative Program SUPPORT for AB 666, which amends current law to require the registered owner of a car claiming innocence for a violation captured by a red light camera to pay the citation if they cannot identify the actual person responsible, and makes infractions recorded by a red light camera a civil penalty.

PRESENTED BY Bernard C. Parks  
BERNARD C. PARKS  
Councilmember, 8<sup>th</sup> District

SECONDED BY [Signature]

APR 12 2013

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*EPO*

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