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ref: Opposition opinion of proposed legislation

Senator Maynard, Representative Guerrero, Members of the Transportation Committee for the record my name Dave Godbout of East Lyme and I am here to testify on:

H.B. No. 5458 (RAISED) AN ACT CONCERNING MUNICIPAL AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES AT CERTAIN INTERSECTIONS

SOME RED LIGHT CAMERA NEWS SINCE LAST PROPOSAL

2011- Los Angeles California City Council, after years of experience with red light cameras, decides to pull to plug on the systems citing ineffectiveness of achieving their initial anticipated goal regarding decreasing crashes.

2011- Houston voters demand cameras be deactivated
2011- Houston City Council agrees & deactivates them

2011- California Appellate Court, The People V. Annette B Case # B229748, opinions that red light cameras and their evidence were not admissible. It is clear that the facts and arguments made in the California case would be similar to the proposed legislation here in the Connecticut. There are serious defects in the due process rights (14th Amendment issues), and the right to face accusers (6th Amendment issues). Recent United States Supreme Court cases, including the State of Mass. V Melendez-Diaz and following decisions by lower courts citing this case (cited in the California case), will make the proposed legislation a constitutional boondoggle at best and thievery at worst.

RED LIGHT CAMERAS' SOLUTION SUSPECT

Many proponents of this bill will point to an IIHS "study", *"Red Light Running and Sensible Countermeasures"* published in 1998, there were two intersections in Arlington, VA studied that had cameras installed. Yet in 2001, VA DOT increased the yellow timing of an intersection along the same stretch of road (from 4.0s to 5.5s) and achieved much better results than the camera system that was installed. IIHS studies are not the best source of information in respect to lowering crashes at intersections but even they admit that the increase in yellow timings offers outstanding decreases in accident rates. United States Department of Transportation has issued several studies in respect to red light camera effectiveness; these reports have shown an increase in rear end collisions and a modest value assigned to the effectiveness of red light camera enforcement. *Safety Evaluation of Red-Light Cameras-Executive Summary, Publication Number: FHWA-HRT-05-049 Date: April 2005.*

CAMERA ALTERNATIVES THAT ARE MORE EFFECTIVE

If lowering of crashes is the goal; red light cameras have no business in being considered in such an evaluation. One would wish to lower crashes by more than a "modest" amount.

Engineering alternatives to consider would be the expansion of the use of round-a-bouts which have been shown to decrease (and continue to maintain the lower level, unlike cameras) crash fatality rates 90%, (that's **ninety-percent**) *Roundabouts, A Safer Choice, USDOT FHWA-SA-08-006* report. I have personal experience with these traffic control devices having lived in the UK for several years. I have seen them throughout the UK, including large cities such as London and on their busiest streets. Anyone who says they are not useful in Connecticut is not talking from experience and anyone considering cameras over roundabouts are either unknowledgeable, just interested in money generation, or both. They not only lower crash rates they also regulate traffic better than lights. While they don't generate revenue like cameras they do save money on electricity costs and lower our carbon emissions and nuclear waste through the lowering of electricity needs and better & more efficient traffic management.

USDOT has issued guidelines on the minimum timing of yellow lights (some cities have actually lowered yellow times to be below this to improve camera money generation!) but USDOT has also acknowledged that increasing the yellow time can vastly decrease crashes at intersections. Even IIHS studies show that 80% of violations occur within 1s after a light has turned red. When examining USDOT, *FHWA-SA-07-015* report (examining results of this report with camera USDOT reports), one can conclude that increasing the yellow time has a better improvement in crashes when compared to the installation of cameras. In addition, this can be performed at almost any intersection at no or minimal cost to our society.

Final Thoughts

This is not the first time this subject has come up before this body. Last time it was proposed I spoke to several of the previous bill's sponsors. One stated that he was worried about his little girl walking to school in New Haven getting killed by a car going through a red light. So I asked him "Are you driving your child to school then?" The answer was "No". Now, I also have a child who, between his school and my house is a road without sidewalks, I was concerned about being struck by a car. My solution: I drove him there. I would think that any parent who had an actual concern about their child would take preventative measures concerning dangers the parent perceives (real or not). The New Haven legislator seemed to me to be a normal parent but his support of the red light camera bill (purporting to be needed to avoid his child's possible death) and his inaction to avoid such a calamity revealed his true reasons for supporting the previous bill: money generation!

We have a constitutional right to travel in this nation & via automobiles, *Schactman v Dulles, 96 App D.C. 287, 29*, it is not a privilege as some would think. The government

can regulate this travel via speed limits, traffic control devices, and vehicle safety specifications. But red light cameras are simply devices that can only be effective when they violate our constitutional rights. It is not simply a question of liberty over safety; it's a question of passing a law that the state knows is in violation of our most basic common law and constitutional rights. There simply is no defense in supporting this legislation when contrasted to the knowing violation of our constitutional rights. There can be no weighing of benefits when a right is in jeopardy. Make no doubt, anyone who supports this legislation have risen up and declared "our common law and 14th and 6th amendment rights mean nothing to them".

Additionally, 8 of 10 tickets issued are for right turn violations, not a source of many crashes, and a very very low fatality rate, paraphrasing LA officials in *Los Angeles Times*' May 19, 2008 article " *Red-Light Cameras Catch Right Turns and lots of Revenue*" author Rich Connell. Yet the current bill would treat right turn violators the same as people who run through the intersection. Given this, it appears as if money generation is a major goal of this bill.

For all the reasons and more, this bill should not proceed forward.

Mayor Bloomberg of NYC wants red light cameras on every street corner; but he also wants to x-ray search everyone walking down the street. Don't be a Bloomberg, be an American ... and vote no to this bill!