

Electronic Red Light Safety Program

Program Report for CY 2013

Delaware Department of Transportation

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Introduction

In accordance with **Section 112 of Senate Bill 145 of the 147th General Assembly of the State of Delaware**, the Department of Transportation (DelDOT) hereby acknowledges the directive to continue operations of the Red Light Safety Camera Program on an open-ended basis under specified conditions. For Calendar Year 2013, the conditions are as follows:

- a.) The program shall continue to use recognized safety and crash criteria in determining whether and where to add any new enforcement locations to this program, and in any event shall continue to confirm that any such new locations are not objected to by the incumbent state Senator and Representative for the districts in which such locations are proposed.
- b.) To assure integrity and propriety, no person involved in the administration or enforcement of this program shall own any interest or equity in the vendor used by the Department to support the administrative elements of the program. Any such person with an ownership or equity interest in such vendor must divest from the ownership or investment no later than ninety days after the effective date of this act. This restriction applies to anyone with either direct involvement in administering or enforcing this program and those in any supervisory capacity above such persons.

DelDOT's number one priority is the safety of all users, motorists, bicyclists and pedestrians on our roads. Our research shows the Electronic Red Light Safety Program (ERLSP) has greatly reduced the combined total number of red light running and angle crashes at red light monitored intersections since its inception. Red light running continues to be a serious traffic safety issue nationwide. According to the Insurance Institute for Highway Safety (IIHS):

- Red light runners cause hundreds of deaths and tens of thousands of injuries each year. In 2012, 683 people were killed and an estimated 133,000 were injured in crashes that involved red light running.
- A 2011 Institute study comparing large cities with red light cameras to those without found the devices reduced the fatal red light running crash rate by 24 percent and the rate of all types of fatal crashes at signalized intersections by 17 percent.
- An IIHS study of urban crashes found that those involving drivers who ran red lights, stop signs and other traffic controls were the most common type of crash (22 percent). Injuries occurred in 39 percent of the crashes in which motorists ran traffic controls.

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Executive Summary

The Electronic Red Light Safety Program (ERLSP) is an electronic monitoring system located at thirty qualifying intersections across the State of Delaware. The current camera locations met eligibility having historically high incidences of red light running related crashes.

The technology for electronic enforcement utilizes a specialized camera, coupled with a traffic signal. The device detects the movement of vehicles into intersections after a signal turns red. The technology takes a picture of the violator's license plate to identify the vehicle. Using this information, a violation notice is generated and sent to the registered owner of the vehicle.

Title 21 §4101(d) allows the Department of Transportation and/or the governing body of any city or county to install and operate traffic light signal violation monitoring systems and assess fines accordingly. If camera installation is performed on state-maintained streets or roads by an entity other than DelDOT, the Department must first approve such installation.

All intersections using a traffic control photographic system or other traffic light signal violation monitoring system must adhere to the exact duration of the yellow light change interval. This time-period must be no less than the yellow light change interval duration specified in the design manual developed by the Department of Transportation.

Title 21 exclusively directs DelDOT to identify intersections with high crash incidents as potential candidates for the placement of electronic red light camera systems. In addition, DelDOT must qualify the engineering of any new cameras installed. The Department also manages the contractual obligations of the private company(s) through which the camera systems are installed and maintained, and through which violations are captured, processed, and collected.

Title 2 Transportation, Delaware Administrative Code; Section 1200 Office of Highway Safety, Section 1205, Electronic Red Light Safety Program regulations became effective in 2005, in accordance with Title 21. In 2011, Governor Jack Markell signed Executive Order 36, requiring department wide *and* public participation to review Delaware Regulations dated three years or older. The Electronic Red Light Safety Program regulations meet the qualifications for review and are currently under revision with the Office of Safety and Homeland Security.

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Crash Data Analysis

DelDOT's statewide Electronic Red Light Safety Program (ERLSP) has resulted in significant reductions in red light related crashes, specifically angle crashes, which are typically the most severe types of crashes. Analysis was performed to compare crash data before and after the installation of cameras at the 30 intersections equipped with enforcement technology. Crash data was reviewed for a three year "before" period and an "after" period beginning following the installation of the cameras. The average "after" period was approximately 7 years. The following types of crashes were reviewed for the "before" and "after" periods:

- **Total crashes** include all crashes occurring within the vicinity of the intersection.
- **Angle crashes** include right angle crashes, as well as left-turn crashes caused by motorists proceeding through a red light. Crashes caused by motorists turning left on a "permissive" signal indication (i.e., a circular green or flashing red arrow) are not included in this analysis.
- **Red light running crashes** include crashes where a law enforcement officer cited at least one driver for disregarding a traffic signal.
- **Rear end crashes** include crashes when the rear vehicle fails to stop and strikes the front vehicle. This includes rear end crashes that occur at the onset of the yellow and red intervals as well as rear end crashes that occur at the back of a queue of standing vehicles that frequently occur several seconds following the change to a red signal indication.

Crash data was reviewed to determine the overall reduction in crashes for the four crash types. The following is a summary of the results:

- **Total crashes** were unchanged in the "after" period
- **Angle crashes** reduced by 47% in the "after" period
- **Red light running crashes** reduced by 29% in the "after" period
- **Rear end crashes** increased by 3% in the "after" period

As demonstrated by the significant reduction in angle and red light running crashes, the safety benefits of the ERLSP continue to be realized by the traveling public. As the duration of the "after" evaluation period continues to expand, the results of the "before" and "after" studies will become more statistically reliable. As such, DelDOT will continue to monitor crash data at the locations equipped with enforcement technology.

- **SEE APPENDIX** for charts detailing the average number of crashes for the four crash types at each of the thirty intersections with enforcement technology.

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Data Method Technology

In 2010, the Delaware Criminal Justice Information System (DelJIS) implemented a new crash reporting system called E-Crash. In response to E-Crash, DelDOT implemented Crash Analysis Reporting System (CARS). E-Crash generates latitude and longitude coordinates when law enforcement officers identify the location of crashes in the field. These coordinates in addition to other elements and attributes of the crash report are then communicated to DelDOT for inclusion in CARS. This process results in a more accurate method of establishing the location of crashes, and provides more complete crash data. Data for the CY 2010 through CY 2013 Program Reports was acquired using CARS to document the crash benefits of the ERLSP. As such, data included during that time period is determined through a more accurate and complete reporting methodology.

As noted above, the new CARS system has resulted in a more complete and accurate crash reporting system. This new system has been in use since 2010 (approximately four years) and contains crash data from 2005 through present. Crash data from 2005 through 2009 was migrated from the former crash system into the new CARS system. However, the “before” periods for the first camera installations begin as early as 2001. Therefore, it is not feasible to obtain complete “before” and “after” crash data entirely from the new CARS system. Combining data between the former crash reporting system and the new CARS system may show an increasing trend in overall crashes as a result of the more complete data system. This may instead be the result of a more accurate and complete reporting system. This trend is likely to be more significantly observed in the review of “total” and “rear end” crashes, which are typically less severe compared to “angle” crashes. DelDOT will continue to monitor the impact that the new crash reporting system has on the “before” and “after” crash results.

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Supporting Contractor

The Department continues in its second and final extension period of a camera system agreement with American Traffic Solutions, Inc. (ATS). This contract remains in effect through June 2014.

In an effort to promote a smooth transition between contracts (including the physical change-out of dated camera systems if a different vendor is selected), the Department started the vendor solicitation process in mid-2012, which included a formal Request for Information (RFI) and Request for Proposal (RFP). As of this report date, the Department is working through the RFP process, which will conclude in March.

As noted in the CY 2012 Electronic Red Light Safety Program Report, the Department's ERLSP team identified several concerns including aging/malfunctioning traffic enforcement cameras, erroneous reporting and billing by the vendor, and unacceptable response time to problems identified in the field (at camera locations).

As a result, the Department and ATS began aggressive measures to identify and address these concerns. The procedures implemented included, but are not limited to, the following steps:

- ATS is providing monthly maintenance reports and status updates for each intersection.
- Additional checks and balances have been put into place by the Department to review all financial statements received by the vendor.
- Both accounting and system operation reports are being reported to the Department on a routine basis.
- ATS has made substantial efforts to improve customer service / increased outreach to DelDOT, including having a dedicated staff person assigned to work with the Department.

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Camera Locations

Fifty-one cameras are positioned at 30 locations throughout the State. The ERLSP has operating agreements with four local jurisdictions – The City of Dover, City of Newark, City of Seaford and the Town of Elsmere. These agreements allow the department to place cameras at locations within municipal areas. Base fine revenue collected from municipal violations is passed to the appropriate jurisdiction. Local police personnel review recorded red light running events, which occur within municipality areas.

The Department in conjunction with the Delaware State Police (DSP) administers areas not included within the four incorporated locations. DSP is responsible for reviewing all non-municipal violations. The entire list of the Department's red light enforcement camera locations follows:

New Castle County:

- Old Baltimore Pike at Salem Church Road/Salem Woods Drive
- Route 2 at Harmony Road
- Route 2 at Red Mill Road/Polly Drummond Hill Road
- Route 2 at Route 41
- Route 2 at Route 7
- Route 4 at Marrows Road
- Route 58/Churchman's Road at Route 1 NB Ramps
- Route 92/Naamans Road at Shipley Road/Brandywine Parkway
- Route 273 at Harmony Road/Gerald Drive
- Route 273 at Route 7
- U.S. 13 at Roosevelt Avenue
- U.S. 40 at Route 72
- U.S. 40 at Route 896
- U.S. 40 at Scotland Drive
- U.S. 202 at Route 92

Sussex County:

- Route 1 at Munchy Branch Road/Miller Road
- Route 1 at Old Landing Road
- U.S. 13 at Road 40/Redden Road
- U.S. 113 at Route 20

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Camera Locations (Continued)

City of Newark (Enforced by Newark Police):

- Elkton Road at Route 4
- Route 896 at Route 4

City of Elsmere (Enforced by Elsmere Police):

- Route 2 at Dupont Road

City of Dover (Enforced by Dover Police):

- Governor's Avenue at North Street
- U.S. 13 at Division Street/Route 8
- U.S. 13 at Kings Highway/White Oak Road
- U.S. 13 at Loockerman Street
- U.S. 13 at Roosevelt Avenue
- U.S. 13 at Scarborough Road
- U.S. 13 at Webbs Lane

City of Seaford (Enforced by Seaford Police):

- U.S. 13 at Tharp Road

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Violations

The violation fine for the ERLSP is \$112.50. This amount is calculated using two components: a base fine of \$75.00 and a surcharge of \$37.50. The \$75.00 fee is authorized under Title 21 §4101 (d) (2).

The \$37.50 surcharge originates from Title 11. Title 11 Delaware Code §4101 requires any fines or fees levied for violations of Title 21 (such as red light camera enforcement violations) include an additional 50% surcharge. In the case of the ERLSP, the additional 50% charge equals \$37.50.

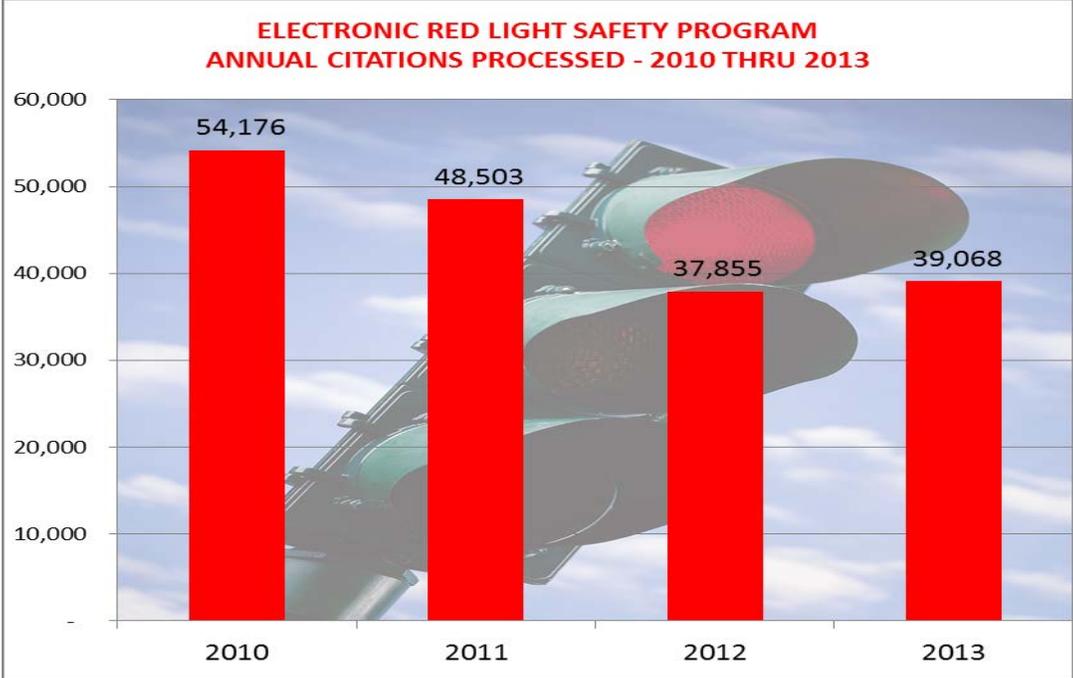
The 2011 General Assembly passed legislation allowing both the state and municipalities to increase their red light violation *base fines* to \$110. **The Department of Transportation has elected not to increase the fine from its \$75 base.**

Under the State of Delaware's ERLSP, violation notices are sent directly to the registered owner of the vehicle. Unlike traditional violations cited by a police officer, the camera violations are considered a civil offense and not a criminal offense. Because of this, the violation and fine do not affect the motorist's insurance rate or accumulate points on their driving record. Unpaid violations are subject to restrictions on renewal at time of vehicle registration. If delinquent, the Department increases the fine by \$10 for each 30-day period past the event, up to \$30 for 90 days.

In calendar year 2013, 39,068 Notices of Civil Violations were issued for red light running. This is an increase of 3.2% from calendar year 2012, when 37,855 violations were distributed.

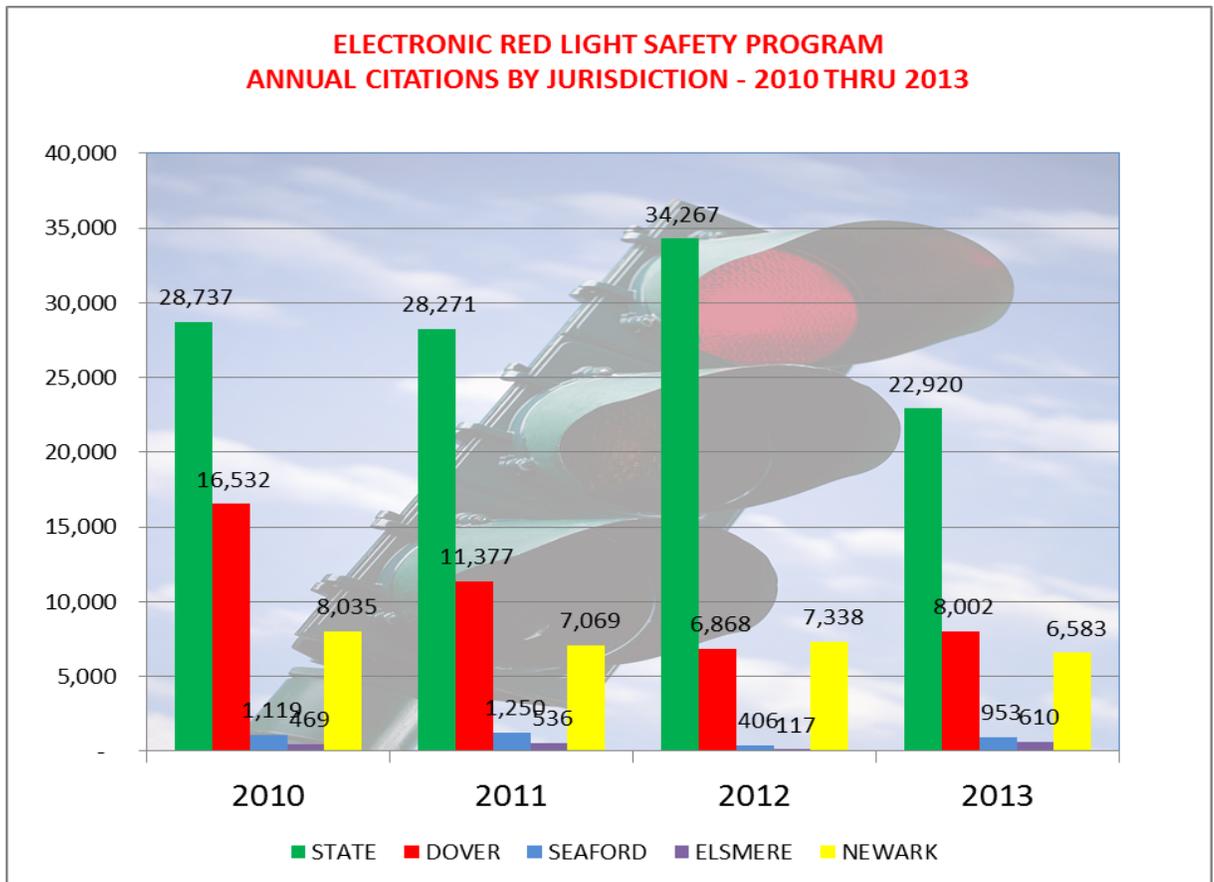
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Table I: Comparison of Violations from 2010 to 2013



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Table II: Comparison of Violations from 2010 to 2013 by Jurisdiction

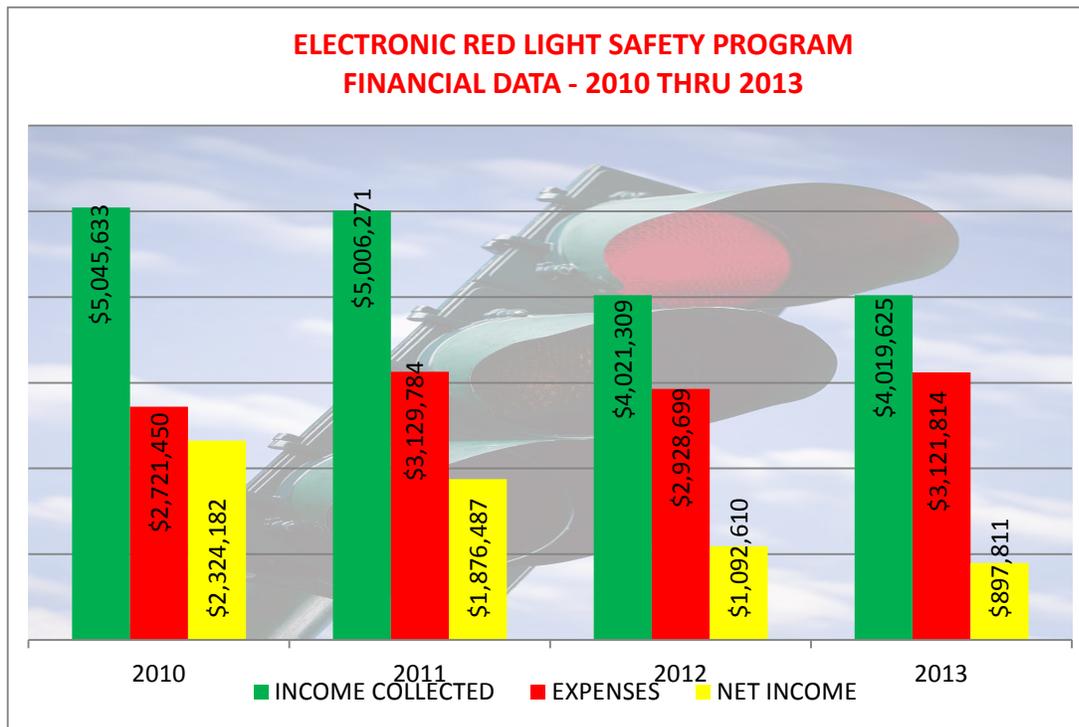


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Revenues / Expenses

Although the ERLSP's priority is safety and not revenue generation, the program does produce more money than it costs to operate. The total receipts collected through the program in calendar year 2013 were \$4,091,625.

Table III: Comparison of Revenue/Expenses from 2010 to 2013



The expenses of the program for American Traffic Systems (ATS) are deducted from the gross receipts prior to the distribution of revenue to our jurisdictions. ERLSP's expenditures also comprise program costs to Whitman, Requardt & Associates, LLP (WRA) for engineering support, and Linebarger, Goggan, Blair, and Sampson, LLP for delinquent fee collections.

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Table IV: Comparison of Revenue/Expenses from 2010 to 2013 Combined and by Jurisdiction

YEAR	TOTAL INCOME COLLECTED	ATS EXPENSES	ADDITIONAL EXPENSES *	TOTAL PROGRAM NET INCOME	YEAR	TOTAL CITATIONS	EXPECTED INCOME
2010	5,045,632.56	2,664,913.93	56,536.41	2,324,182.22	2010	54,176	6,094,800.0
2011	5,006,271.25	3,030,614.51	99,169.64	1,876,487.10	2011	48,503	5,456,587.5
2012	4,021,309.35	2,829,508.57	99,190.72	1,092,610.06	2012	37,855	4,258,687.5
2013	4,019,624.80	2,830,238.46	291,575.61	897,810.73	2013	39,068	4,395,150.0
* INCLUDES DSP, WRA, LINEBARGER, REFUNDS, ALLIED TUBE - NOT PASSED ON TO JURISDICTIONS							
STATE				ELSMERE			
YEAR	INCOME	EXPENSE	NET	YEAR	INCOME	EXPENSE	NET
2010	2,636,002.56	1,641,728.94	994,273.62	2010	47,186.39	53,598.21	(6,411.82)
2011	2,891,663.71	2,035,098.01	856,565.70	2011	47,672.73	65,770.84	(18,098.11)
2012	2,502,886.50	1,957,855.20	545,031.30	2012	20,524.85	59,892.27	(39,367.42)
2013	2,366,994.48	1,968,236.87	398,757.61	2013	53,276.00	60,613.00	(7,337.00)
DOVER				NEWARK			
YEAR	INCOME	EXPENSE	NET	YEAR	INCOME	EXPENSE	NET
2010	1,572,885.26	596,372.88	976,512.38	2010	681,851.33	262,868.64	418,982.69
2011	1,220,185.90	570,468.57	649,717.33	2011	728,180.21	249,108.83	479,071.38
2012	732,254.89	452,574.54	279,680.35	2012	699,548.11	249,399.62	450,148.49
2013	804,382.83	488,586.71	315,796.12	2013	678,330.59	189,210.64	489,119.95
SEAFORD							
YEAR	INCOME	EXPENSE	NET				
2010	107,707.02	110,345.26	(2,638.24)				
2011	118,568.70	110,168.26	8,400.44				
2012	66,095.00	109,786.94	(43,691.94)				
2013	116,640.90	123,591.24	(6,950.34)				

For intersections in which revenue does not cover the cost of the cameras and other operational costs, expenses are paid from a fund established at the beginning of the program.

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Municipal costs are covered by this fund, which is replenished based on the prorated revenue of the jurisdictions

As noted in the CY 2012 Electronic Red Light Safety Program Report, three of our four partnering municipalities notified the Department of camera operating concerns - raising issues of non-performing equipment and outdated technology. While the City of Newark and the Delaware State Police had minor concerns, the Town of Elsmere, City of Seaford, and the City of Dover noted significant challenges. Improperly working cameras located in the Cities of Seaford and Dover, in addition to the Town of Elsmere, most likely played a role in the reduction of statistics for CY 2012. The Department has worked with the vendor over the last year to rectify this problem. As a result, new cameras were installed and the vendor is providing monthly monitoring reports.

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Court Data

In calendar year 2013, of the 39,068 violations, 204 cases were scheduled for trial. Of these, 178 were upheld by the court and 26 were dismissed. When appeals do occur, most are settled prior to a court hearing. This is largely due to the quality of evidence collected.

Affidavits

Under 21 Del. Code §4101 (d) (9), Delaware law permits a registered vehicle owner to divert responsibility for a video offense if another driver was operating their vehicle at the time the violation occurred. If a registered owner identifies another driver as the violator on the affidavit, the identified driver has the same legal options the registered owner had originally – to accept responsibility and pay the fine or to challenge the allegation in Court.

Should the identified driver opt to challenge the allegation, the prosecution must subpoena the registered owner to Court. This allows a judge to hear from both the registered owner and the identified driver as to who may be responsible for the violation.

Delinquent Fine Payments

For every 30 days that an ERLSP violation remains unpaid after the due date, the fine increases by \$10. After 90 days of non-payment, the fine is capped at \$142.50. The fine becomes delinquent after it is 120 days overdue.

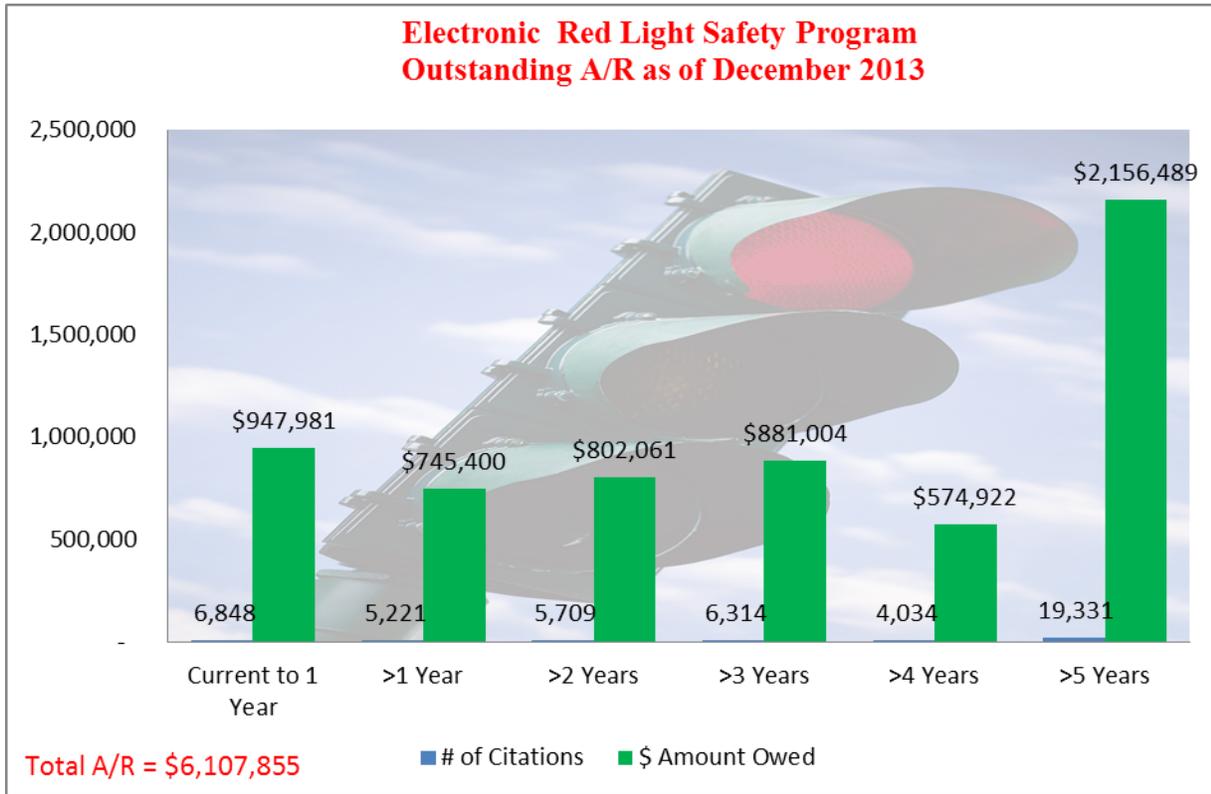
The number of delinquencies in calendar year 2013 was 7,797 out of 39,068 violations processed, totaling \$998,258.10. Currently, there are 47,457 outstanding violations from a nine-year period, totaling over \$6.107 million in outstanding fines due to the Department. Approximately 58.41% of the violations are from in-state registered vehicles. Maryland tags accounted for 5,479 (11.9%) of outstanding violations, New Jersey tags equaled 1,958 (4.2%) of outstanding violations and Pennsylvania tags accounted for 5,448 (11.85%) of outstanding violations.

If the in-state owner of a vehicle ignores the court-ordered fine, the Division of Motor Vehicle (DMV) puts a hold on vehicle registration renewals. Currently, Delaware does not have a reciprocal agreement with other states for ERLSP violations.

The Department contracts with Linebarger, Goggan, Blair, and Sampson, LLP (LGBS) for delinquent fee collections. As of December 2013, LGBS collected funds for 5,153 violations, totaling \$658,294.00. A total of \$164,595.00 was retained by the organization for collection activities.

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Table V: Outstanding Accounts Receivable as of December 2013



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New Intersections:

As part of its on-going effort to reduce crash incidents at all intersections, the Department continuously evaluates the need for the placement of cameras throughout the state. Intersections selected into the ERLSP are determined eligible through engineering-based criteria and the use of the most recent crash data.

The most important criterion in selecting an intersection is the frequency of angle crashes due to red light running. Another factor includes the intersection's geometry; in other words, whether the physical design of the intersection allows for installation of ERLSP equipment. Once locations are identified, additional analysis such as the use of countermeasures in lieu of cameras, the efficacy of capturing images at approaches, and impacts on other aspects of the intersection's performance is researched. Each of these steps are taken prior to any final recommendations.

At the time of implementation, concurrence from the appropriate Senator and Representative of the District wherein a candidate intersection lies will be requested for installation of enforcement equipment.

The positioning of cameras at new intersections is on hold until a new contract is negotiated and a camera system vendor is secured. As mentioned previously, the current contract ends in June 2014.

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DelDOT Program Recommendations Based on CY 2013 Data

For the past ten years, the Electronic Red Light Safety Program has demonstrated successful reductions in overall red light running and angle crashes at intersections with red light camera installations. Our primary focus remains on safety, and not the monetary aspects of the program.

The Department recommends the following operating strategy for CY 2014:

- **Continue contract negotiations** with selected vendor to insure timely implementation of new program.
- **Continue to work with our partnering municipalities** to make sure their needs are met.
- **Continue to analyze crash data** to better understand why crashes are occurring and identify ways to improve safety.
- **Continue analysis to identify potential intersection candidates** for camera placement through DelDOT's Traffic Section.
- **The Department will continue to evaluate different arrangements for the payment of violations at the Division of Motor Vehicle (DMV)** in order for violators to have holds lifted quickly when registering vehicles.
- **Review collections process to determine if changes need to be made** to obtain greater efficiency and recoupment. Included in the review will be the pursuit of reciprocity with other states as part of an effort through the Division of Motor Vehicles for general reciprocity among neighboring states.

APPENDIX

** Figures 1 through 4 following this section depict the average number of crashes per year for the four crash types at each of the thirty intersections with enforcement technology.

Figure 1: Total Crashes by Year

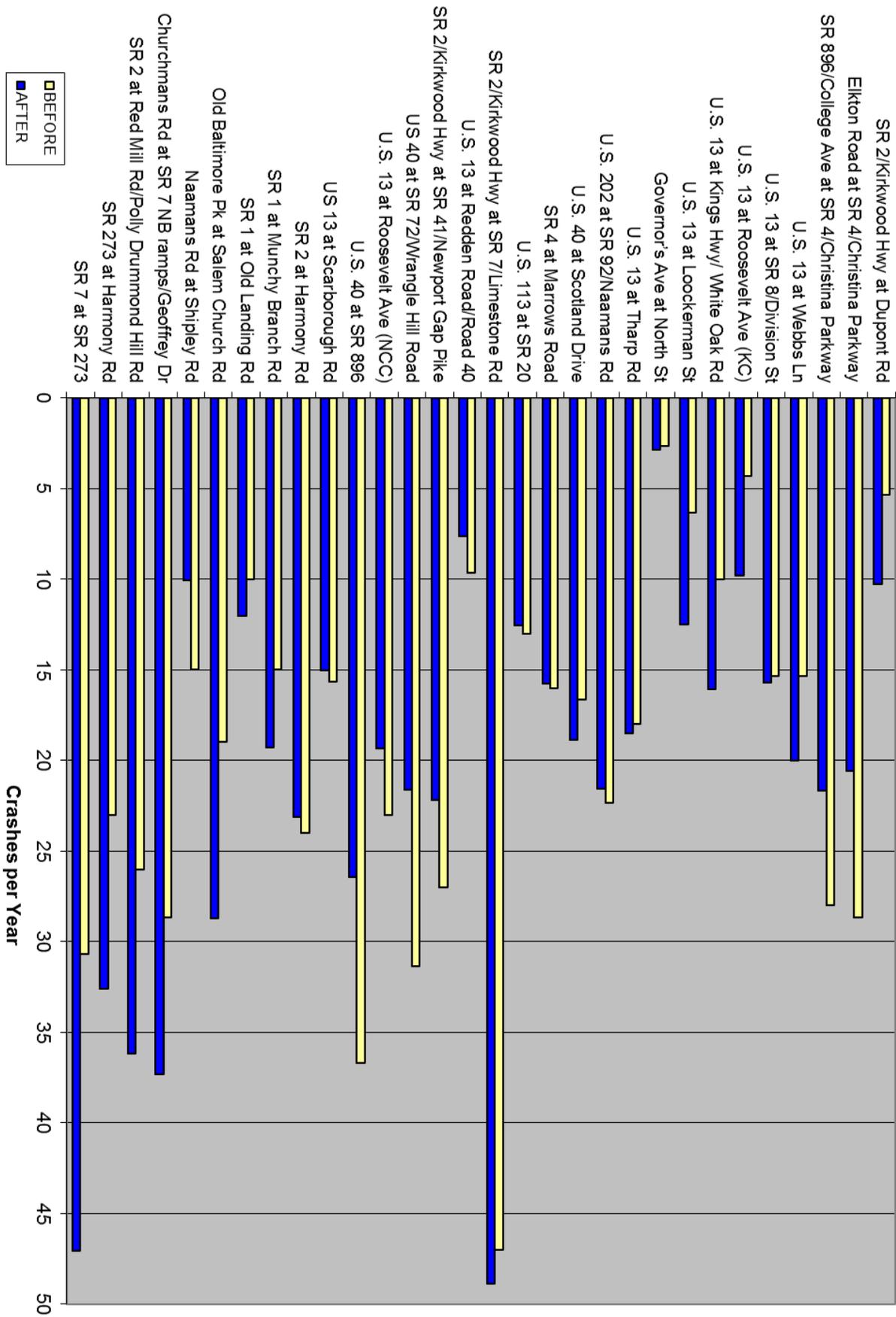


Figure 2: Angle Crashes by Year

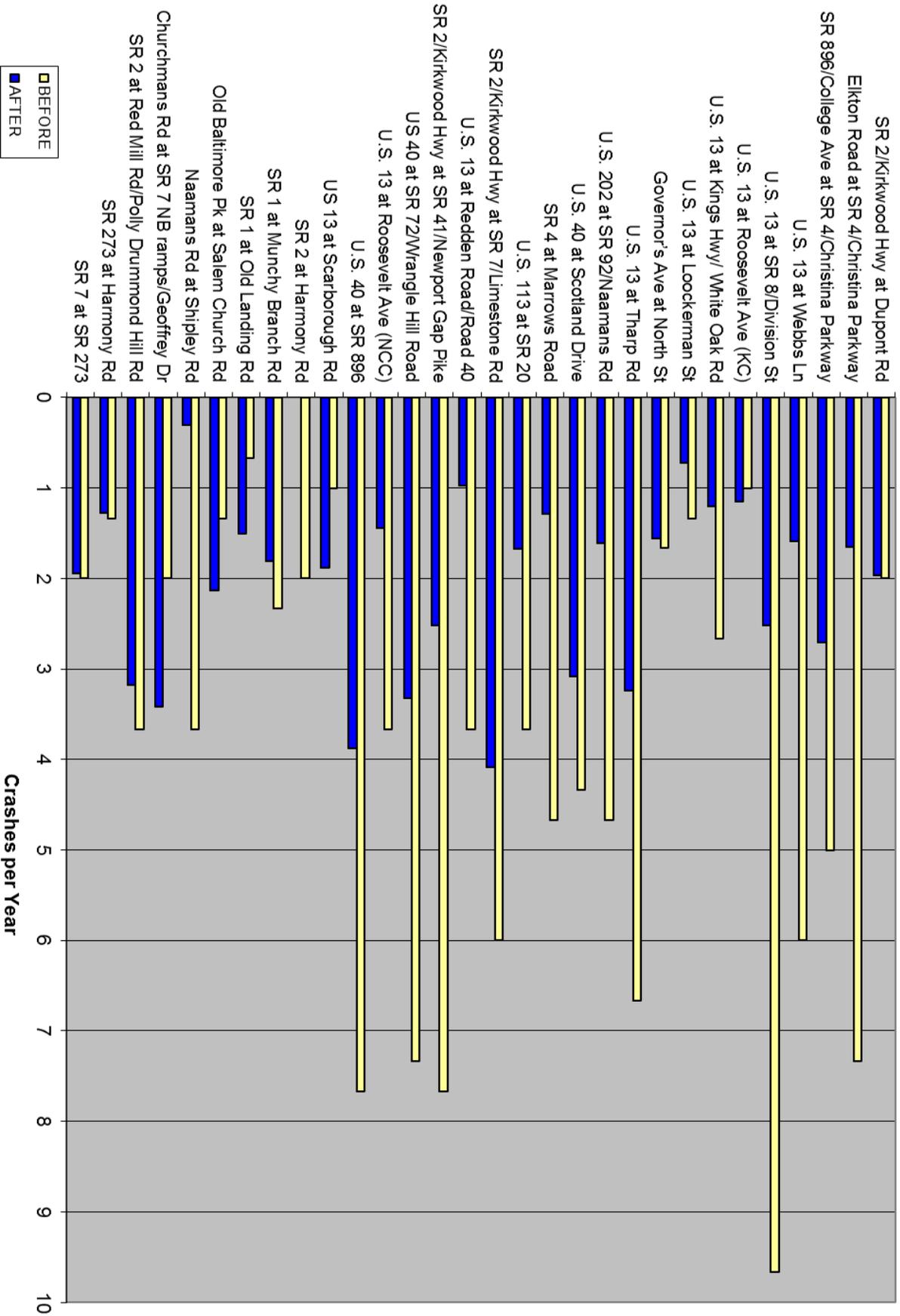


Figure 3: Red Light Running Crashes by Year

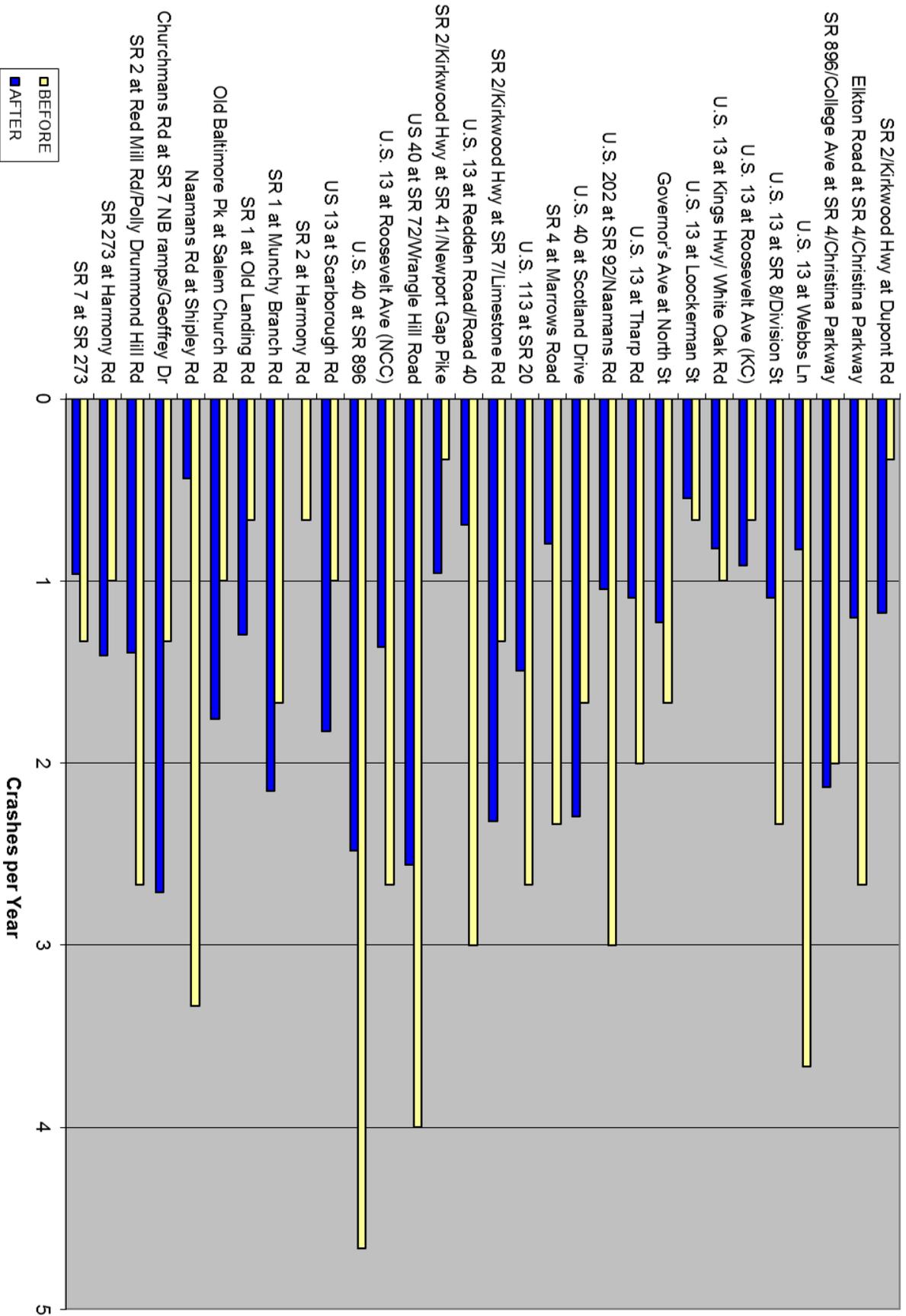


Figure 4: Rear End Crashes by Year

