

RED LIGHT CAMERAS



AN ISSUE BRIEF FROM LEGISLATIVE BUDGET BOARD STAFF

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OBJECTIVE

Red light cameras were statutorily authorized to increase traffic safety at intersections.

KEY FACTS

- ◆ In 2011, 50 Texas municipalities operated red light cameras.
- ◆ Since red light cameras became operational in Texas, traffic fatalities at or related to intersection collisions have declined by 3 percent. Intersections with cameras have experienced a 43 percent decrease in right angle collisions and a 5 percent increase in rear end collisions.
- ◆ Violations for running red light cameras are civil penalties. The only authorized enforcement option is the withholding of vehicle registration.

BUDGETARY IMPACT

The state receives 50 percent of net revenues from violations of a photographic traffic control signal enforcement system. These are deposited to Regional Trauma Account No. 5137. From fiscal years 2008 through 2011, \$44.6 million in revenue from red light camera fines has been deposited to the account and \$13.4 million has been expended. No money from this account was appropriated during the 2012–13 biennium. The Comptroller of Public Accounts estimates that \$27 million will be deposited to the account during the 2012–13 biennium.

Red light cameras are intended to reduce the number of collisions at intersections by deterring the running of red lights. When a vehicle passes sensors after a light has turned red, a camera takes pictures or video of the vehicle and records the date and time of the violation. Trained law enforcement officials review the photographs and a violation notice is mailed to the vehicle owner.

In 2002 the Texas Attorney General determined that cities had the authority to operate red light cameras; however, they were not authorized to impose a civil violation for running a red light. After statutory changes allowed cities to impose civil violations, Texas cities began operating red light cameras in 2003. In 2011, 50 municipalities filed reports regarding red light camera use with the Texas Department of Transportation (TxDOT).

According to the Governors Highway Safety Association, 21 states, the District of Columbia, and the U.S. Virgin Islands permit red light camera use and 9 states prohibit them. No laws regarding red light cameras exist in 20 states. Cameras are operating in 24 states, the District of Columbia, and the U.S. Virgin Islands.

KEY LEGISLATIVE CHANGES

Legislation passed in 2003 increased a city's authority to regulate traffic and issue civil violations for offenses previously only classified as criminal. Statute did not specifically allow or prohibit red light cameras. Cities interpreted this as allowing their use and began using photo enforcement systems.

Statute explicitly authorized the use of red light cameras with the passage of legislation in 2007. This also required local authorities to conduct traffic engineering studies, receive recommendations regarding camera placement from a community advisory committee, and compile accident information at intersections before and after camera installation. Criteria regarding camera placement at intersections was set forth and the bill required signs to notify drivers of the camera at intersections with cameras. The bill also set forth requirements for revenue allocation and the uses of revenue, which remain in effect.

INTERSECTION SAFETY

The Federal Highway Administration has classified red light running as a national safety problem with 22 percent of all urban collisions resulting from drivers failing to stop at red lights. In 2006 TxDOT identified intersection and intersection-related collisions as a key safety area needing attention and set a goal to reduce fatal and serious injury collisions at intersections by 10 percent over five years. Expanding the use of red light cameras at intersections was one countermeasure identified to help achieve this goal.

A 2008 Texas Transportation Institute analysis of red light camera systems in Texas found that of 56 intersections reporting pre- and post-installation crash data, a 30 percent decrease in annualized collisions occurred. There was a 43 percent reduction in right angle violation

collisions and a 5 percent increase attributed to rear end collisions at these intersections. A 2011 follow-up study also concluded red light cameras have been effective in reducing the overall number of collisions at signalized intersections.

ENFORCEMENT

Statute assumes that the owner of a vehicle is liable for a violation caught by a red light. Violations resulting from red light cameras are civil penalties. They are not reported to insurance companies, placed on a person's driving record, nor is an arrest warrant authorized to be issued. However, if a vehicle owner does not pay the civil penalty a county tax assessor collector may refuse to register the vehicle.

Vehicle registration renewal will only be denied if a local government notifies the Texas Department of Motor Vehicles (DMV) of vehicles with outstanding fines. In these instances, DMV flags the vehicle's record in its database, which is used by county tax assessor-collectors when registering vehicles. DMV reports that 44 cities contract and pay for the placement of flags on the records of motor vehicles with outstanding fines. Of these cities, 14 flagged red light camera violations and 18 flagged either failure to appear in court or failure to pay a traffic fine.

REVENUE SOURCES AND USES

Penalties for running a red light camera are statutorily prohibited from exceeding \$75, and late fees may not exceed \$25. Local authorities are allowed to keep money collected from violations to purchase or lease, install, operate, and maintain red light camera systems. Remaining revenue is split evenly between the state and the local authority. Local authorities are authorized to spend their share of revenue only on traffic safety programs. Revenue remitted to the state is deposited to Regional Trauma Account No. 5137 and in accordance with statute may only be appropriated to the Health and Human Services Commission. No funds from the account were appropriated during the current biennium. Fig. 1 shows the revenue and expenditures to Regional Trauma Account No. 5137 from red light camera penalty collections since it was established in 2007. At the end of fiscal year 2011 the account had a balance of \$31.6 million.

FIG. 1
REVENUE AND EXPENDITURES FROM REGIONAL TRAUMA ACCOUNT NO. 5137
FISCAL YEARS 2007 TO 2011 (IN MILLIONS)

FUND	2008	2009	2010	2011
Revenue	\$3.9	\$9.4	\$17.5	\$13.8
Expenditures	\$0.0	\$9.2	\$4.2	\$0.0
Fund Balance	\$3.9	\$4.2	\$17.6	\$31.6

NOTE: Numbers may not sum due to rounding.
SOURCE: Legislative Budget Board.

USEFUL REFERENCES

- Red Light Camera FAQs, Texas Department of Transportation, www.dot.state.tx.us/safety/camera_faqs.htm
- Evaluation of the Effectiveness of Photographic Traffic Enforcement Systems in Texas, Texas Transportation Institute, June 2011
- Using Automated Enforcement to Reduce Red-Light Running, Federal Highway Administration, 2009
- Analysis of the Effectiveness of Photographic Traffic Enforcement Systems in Texas, Texas Transportation Institute, November 2008
- Texas Attorney General Opinion No. GA-0440, June 23, 2006
- Red Light Cameras in Texas: A Status Report, House Research Organization, July 31, 2006
- Texas Attorney General Opinion No. JC-0460, February 8, 2002

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