



New York State Red Light Camera Programs: The 2019 Review

Red light camera programs continue to raise significant revenue for municipalities across New York. AAA New York State analyzes the red light camera programs operating in New York and how local municipalities are complying with current law.

Lauren Paterno Government Affairs Representative AAA Northeast

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Introduction & Executive Summary

Red light running is a dangerous driving behavior with deadly consequences. Nationwide, 939 people were killed in red light running crashes in 2017 – a 10-year high. To reduce red light running, red light cameras are operated in 22 states, the District of Columbia, and the U.S. Virgin Islands, according to the Governors Highway Safety Association. ²

In New York State, drivers running red lights contributed to 250 fatalities from 2008-17.³ Today, eight red light camera programs operate in New York State: in Albany, Mount Vernon, Nassau County, New Rochelle, New York City, Suffolk County, White Plains and Yonkers. Each program was reauthorized for five additional years by the State Legislature as part of the March 2019 state budget.

By law, municipalities must submit an annual report regarding their red light cameras to the Governor, the Assembly Speaker and the Senate President. In 2014, AAA reviewed these reports and found deficiencies in nearly all municipalities. According to AAA's updated analysis, some municipalities still fail to comply with the law, either by omitting mandated information or providing no report at all.

Overall, the annual reports suggest that the cameras have helped keep the roads safe. However, the impacts have varied by municipality and by intersection. All municipalities should conduct a further, more rigorous engineering analysis – using data beyond what is provided in the reports – to determine whether their current camera placement is optimized for safety.

Such reevaluation is particularly urgent where crash results haven't been as positive. At Yonkers' red light camera intersections, for example, both crashes and injuries have increased by more than 20% from the year prior to installation to 2017. Suffolk County has already commissioned an independent engineering study⁴ following concerning trends in rear-end crashes and should utilize the results to appropriately reposition the cameras as soon as possible.

As some municipalities demonstrate noncompliance or tardiness with required reports and others witness crashes and injuries increase at some locations – all while collectively earning tens of millions of dollars in annual revenue from red light camera fines – AAA recommends further oversight of camera programs by New York State. The Legislature need not wait until it reauthorizes these programs, which expire in 2024. Lawmakers should craft a bill addressing the enabling legislation's flaws to ensure all existing and future red light camera programs are held to high standards.

AAA New York State continues to support red light camera programs that are supplemented with engineering measures, educational campaigns, and traditional law enforcement, provided a thorough evaluation of such programs is regularly conducted and disclosed to the public.

AAA has five recommendations to make red light automated enforcement programs more effective in New York State:

- 1. Require Department of Transportation oversight;
- 2. Direct revenue to traffic safety initiatives;
- 3. Make reports available online to the public;
- 4. Require public education campaign & warning period; and;
- 5. Penalize municipalities for incomplete reports.

Communities should limit red light running through a holistic approach utilizing a variety of engineering and public education countermeasures. Automated enforcement programs should neither be considered a cure-all for dangerous roads nor an easy way to raise revenue, but one tool in the traffic safety tool box which requires thoughtful planning, continuous oversight and significant resources to be implemented successfully.

Research & Controversies

According to AAA's 2018 Traffic Safety Culture Index, 85% of drivers stated that speeding through a red light is a very or extremely dangerous driving behavior,⁵ yet 31% of respondents admitted to running a red light at least once in the last 30 days.⁶

An Insurance Institute for Highway Safety (IIHS) study indicated an increase in fatal crash rates when red light camera programs were terminated. Their study compared 2010-2014 crash rates in 14 cities which discontinued red light camera programs with crash rates from cities which continued their camera programs. Results indicated fatal red light running crash rates were 30% higher in cities which cancelled their red light camera program.⁷

IIHS reports that in November 2019, 341 communities nationwide operated red light camera programs, down from 533 programs in 2012.8 The IIHS says programs were discontinued across the country due to "a reduction in camera citations, difficulty sustaining the financial viability of the program...and community opposition."

New York has not been immune to this trend. Rochester cancelled its program effective December 31, 2016. Upon the program's termination, Mayor Lovely Warren said she was "very concerned that too many of these tickets have been issued to those who simply can't afford them, which is counter-productive to our efforts to reverse our city's troubling rates of poverty."¹⁰

Other municipalities have also faced controversies, albeit ones that haven't led to program cancellation. In December 2018, the Nassau County Legislature required "Stop Here on Red" signs be placed at every red light camera intersection in the county. Residents had received violations for stopping after the stop line or turning right on red without coming to a complete stop. Nassau County did not comply with the March 1, 2019 deadline and was significantly delayed installing the required signs. ¹¹

In July 2019, two Suffolk County residents filed a federal lawsuit alleging the Suffolk County Traffic and Parking Violations Agency punishes motorists who cannot afford to pay the traffic fines. The lawsuit intends to halt Suffolk County from suspending registrations for unpaid court fees. Another court case is pending in Suffolk County to remove the additional \$30 administrative fee on red light camera tickets. Suffolk County also hired consultants to analyze their red light camera program. The results were mixed, with some intersections requiring further analysis or potential removal of cameras, but did indicate an overall net benefit to the cameras. Suffolk County extended its program until 2024 after publication of the report.

The City of New Rochelle found itself at the center of a CBS2 story regarding red light violation fees in 2017. The City of New Rochelle only accepted violation payments by means of certified check, money order or online with a 12% surcharge. Violators were forced to either pay a \$6 online fee or purchase a money order. After CBS2's involvement, the City of New Rochelle stated they will accept personal checks and promised to update the payment form accordingly.¹⁴

Legislation Passed & Pending

Changes to Reporting Requirements

The red light camera programs operating in New York State were reauthorized in the FY 2019-2020 Executive Budget, which included changes to the annual reporting requirements:¹⁵

- Requiring three years of crash data prior to camera installation, rather than one
- Requiring post-installation crash data for each year that the camera system has been in operation^a
- Requiring revenue data from each year since inception be included^b

These changes, by providing a broader sample size of crashes, will provide a clearer picture of the impact of red light cameras.

Program Expansion Legislation

Municipalities continue to seek authorization for new programs. Westchester County has requested authorization from New York State for the last two years but the legislation has yet to be enacted. Additional legislation, first introduced in 2008, remains without action and would allow any county to establish a red light camera program.

Program Modifications

Since 2012, Assemblyman Abinanti has sponsored a bill which would require signs to be posted to alert motorists of red light cameras in the area, but it has stalled in the state legislature. Assemblyman Pretlow's bill which requires communities with red light camera programs to have uniform durations for amber signal lights still pends in the Assembly with no sponsor in the Senate as well. 19

In New York City, Int. 1028, sponsored by NYC Councilman Cabrera, would require the NYC Department of Transportation to create a website to allow vehicle owners to view the video of the red light camera violation online; it was introduced in the New York City Council in 2018. Two additional bills sponsored by Councilman Matteo would require the Department of Transportation to post signs where photo violation systems are operational.²⁰

Driver Penalties

A variety of bills target drivers who repeatedly receive red light camera violations; because red light camera tickets are issued to the vehicle rather than the driver, however, these bills target registrations rather than licenses. In 2018, legislation introduced by Assemblyman Carroll would establish escalating penalties for vehicles which have received multiple red light camera violations.²¹ If a vehicle receives six violations within a two-year period, its registration would be revoked.

Another bill introduced by Assemblyman Carroll (and Senator Myrie) would revoke the registration of the vehicle which has received six violations within 12 months, nine violations within 24 months and twelve violations within 36 months.²² Assemblyman DenDekker and Senator Gianaris are carrying similar legislation which would suspend the registration of a vehicle which receives five violations within 12 months.²³ None of the aforementioned bills have yet passed.

In New York City, Councilman Lander introduced Int. 971, which requires repeat red light camera offenders to complete a traffic safety course or the owner's vehicle will be impounded; it has yet to pass the New York City Council.

^a New York City is only required to have crash data for the reporting year and the preceding three years – its program has been operational since 1993.

^b New York City is only required to have revenue data since 2014.

Red Light Camera Revenue

The following data comes from the municipalities' red light camera reports. All data reflects the 2017 calendar year, except for Nassau County's (2016) and New York City's revenue/expenses figures (FY17):

Municipality	NYC Nassau		Suffolk	Yonkers	Albany	White	New
						Plains	Rochelle
# Intersections	150	100	100	25	20	12	12
Authorized							
Fine ²⁴	\$50	\$50	\$50	\$50	\$50	\$50	\$50
Additional Fees	\$0	\$100 ²⁵	\$30 ²⁶	\$15 ²⁷	\$0	\$0	\$0
Vendor	American	American	Conduent ³⁰	American	GATSO ³²	American	Brekford
	Traffic	Traffic		Traffic		Traffic	Traffic
	Solutions ²⁸	Solutions ²⁹		Solutions ³¹		Solutions ³³	Safety ³⁴
Notices of	538,451 ³⁵	505,089 ³⁶	377,944 ³⁷	88,932 ³⁸	13,847 ³⁹	Х	28,981 ⁴⁰
Liability							
Gross Revenue	\$23.9	\$48.5	\$28.9	\$5.4	\$651,304 ⁴⁵	Х	\$1.25
Generated	million ⁴¹	million ⁴²	million ⁴³	million ⁴⁴			million ⁴⁶
\$ Going to	\$9.3 million	\$9.3	\$9.3 million	\$1.7	\$3,995 /	Х	35% of the
Vendor	(includes	million ⁴⁸	49	million⁵0	camera /		monthly
	internal				month ⁵¹		program
	staffing) ⁴⁷						payments ⁵²

X = data unavailable

Most municipalities across New York State profit from red light camera programs. Over \$100 million in revenue is collected each year across all programs in New York State. Current law does not indicate how red light violation revenue must be spent or prohibit communities from charging additional fees to violators. Suffolk County, Nassau County and Yonkers add additional fees to red light camera violations issued to drivers. For example, in addition to the \$50 fine, Nassau County adds a \$55 public safety fee and a \$45 driver responsibility fee. 53

Red light camera violations are designed to be a deterrent to dangerous driving behaviors. AAA does not support additional fees designed purely to raise revenue, which can cause economic distress for low-income drivers and sow distrust in the motivations behind the automated enforcement programs.

However, not all communities are profiting. According to the City of Albany 2017 Calendar Year Report, the camera contract's fees were greater than the dollars collected from its red light camera program; as per the City's agreement with GATSO, "the balance of the monthly camera fee is negated by terms of the contract with GATSO."⁵⁴

Compliance of Municipalities

AAA analyzed 2017 calendar year reports to determine if municipalities are meeting reporting requirements. For many municipalities, 2017 is the most recent calendar year report available; others have yet to complete 2017 reports.

Reporting requirement	NYC	Nassau	Suffolk	Yonkers	Albany	New Rochelle	Mt. Vernon
Description of the locations	✓	✓	✓	✓	✓	✓	×
Crashes							
Aggregate number	×	OOD	✓	✓	✓	✓	×
Туре	✓	OOD	✓	✓	√/×	×	×
Severity	✓	OOD	✓	✓	√/×	✓	×
Violations							
Daily (aggregate)	✓	×	✓	✓	×	×	×
Weekly (aggregate)	✓	×	✓	✓	×	*	×
Monthly (aggregate)	✓	×	✓	✓	✓	✓	×
Yearly (each intersection)	*	OOD	✓	✓	✓	✓	×
# notices of liability	✓	OOD	✓	✓	✓	✓	×
After first notice of liability							
# fines	✓	OOD	✓	✓	✓	✓	×
Total \$ amount of fines	*	OOD	✓	✓	✓	✓	×
Adjudications							
# violations adjudicated	✓	OOD	✓	✓	✓	✓	×
Results of adjudications	✓	OOD	✓	✓	×	×	×
Disposition breakdown	✓	OOD	✓	✓	×	×	×
Finances							
Revenue	✓	OOD	✓	✓	✓	✓	×
Expenses	✓	OOD	✓	✓	✓	✓	×
Adjudication process quality	✓	OOD	✓	✓	*	*	×

^{✓=} requirement completed, **x**=requirement not completed, **OOD**=requirement completed but out of date

Mount Vernon has yet to complete any required state reports, to our knowledge, despite operating red light cameras for nearly five years. After several FOIL requests and appeals, the City has still not provided any information about its program, and state officials had not received any mandated reports, according to their FOIL responses. It is unclear if Mount Vernon keeps any records associated with its red light cameras. <u>AAA recommends immediate action by the State to determine whether the City has violated State law by operating the program without completing the reports.</u>

New York City does not include the number of violations for each intersection in its report.

New Rochelle did not include adjudication results or crash types. The law does not define "types," but others have separated crashes by geometry (right-angle, rear-end, etc.) and/or by involved party (pedestrian, bicyclist, etc.).

Nassau County completed a 2016-17 annual report that didn't include any substantive 2017 data. As of August 2019, Nassau County officials indicated to AAA that the County is nearing completion of a 2018-2019 report. ⁵⁵ Over the years, Nassau County's reports have included most of the information required by law but have lagged behind the required June 1 deadline.

Albany did not include adjudication results or data about the type and severity of crashes *prior to* camera installation (it did separate crashes after camera installation by type and severity). It also omitted the number of violations by day and by month, but this omission did not impede our analysis, because the City included the annual number of violations.

Yonkers and Suffolk County included all required information in their annual reports.

White Plains did not operate red light cameras in 2017 but provided preliminary findings (included in the next section).

Traffic Safety Statistics

The table below indicates the most recent traffic safety statistics available by municipality.

Municipality	NYC ⁵⁶	Nassau ⁵⁷	Suffolk ⁵⁸	Yonkers ⁵⁹	Albany ⁶⁰	White Plains ⁶¹	New Rochelle ⁶²
Most recent year made available to AAA	2017	2016	2018 (preliminary)	2017	2017	8/1/18- 8/1/19	2017
Total Crashes							
Pre-RLC	Χ	2,347	1,258	176	188	125	95
Post-RLC	Χ	1,748	1,376	222	143	103	97
% change	Χ	-26%	+9%	+26%	-24%	-18%	+2%
Side-Impact Crashes							
Pre-RLC	215*	790	190*	23	Χ	17	Х
Post-RLC	97	779	168	24	21	13	Х
% change	-55%	-1%	-12%	+4%	Χ	-24%	Х
Rear-End Crashes							
Pre-RLC	410*	1,171	324*	54	Χ	33	X
Post-RLC	291	774	519	73	56	18	X
% change	-29%	-34%	+60%	+35%	Χ	-45%	X
Injuries							
Pre-RLC	2,234*	908	543	66	Χ	13	28
Post-RLC	1,594	558	456	82	39	11	13
% change	-29%	-39%	-16%	+24%	X	-15%	-54%

^{*}Yearly average of reported accidents 3 years prior to RLC program X=data unavailable

These statistics report positive results from most of New York's red light camera programs. However, there is room for improvement across the state. All municipalities should analyze intersections where crashes have increased and make appropriate changes in consultation with traffic engineers.

Changes are particularly urgent where crashes have increased. AAA recommends the City of Yonkers take immediate action to establish a more effective program. Similarly, Suffolk County should use the engineering report it commissioned to establish a plan for improvement, with concrete timelines for removing underperforming cameras.

Recommendations

Last year, AAA collaborated with other national safety organizations to create a red light camera program checklist.⁶³ These recommendations stem from that checklist as well as the preceding analysis of New York-specific issues.

Require Oversight from Department of Transportation

All red light camera programs in New York operate as "pilot programs" – even New York City's which began in 1993 – and all programs are periodically extended. Prior to the next state reauthorization of red light camera programs, the New York State Department of Transportation should conduct a comprehensive quality review of all programs. NYSDOT should analyze annual reports for compliance with Vehicle and Traffic Law requirements and require municipalities to create an "Action Plan" for any poor-performing intersections. The Action Plan should require the municipality to study intersections where crashes or injuries have increased and establish steps to improve the safety of the intersection or remove the camera. Additionally, NYSDOT should provide a recommendation to approve or deny reauthorization based on the quality review.

A comprehensive review prior to reauthorization holds municipalities accountable for poor-performing intersections and ensures programs are thoughtfully reviewed and operating successfully over time. Delaware requires its Department of Transportation to provide oversight of implemented automated enforcement programs⁶⁴ and lowa introduced legislation which would require its Department of Transportation to approve and review local automated enforcement programs.⁶⁵

Fund Traffic Safety Initiatives with Camera Revenue

Many municipalities with red light camera programs reap sizable profits from violation and fee revenue. The mere existence of a profit doesn't imply any monetary motivations – but for the program to truly be optimized for safety, net revenue should fund other traffic safety initiatives, which are often underfunded. By statute, Pennsylvania and Texas specifically require any excess revenue be directed to trauma care centers or traffic safety programs. 66 New York legislators should enact a similar requirement.

Publish Annual Reports Online

AAA recommends that annual reports be provided to the public and available to be viewed online. Current law only mandates the reports be submitted to the Governor, Speaker of the Assembly and the Temporary President of the Senate. To encourage transparency and to allow for public inspection, the reports should be available online on the website of each municipality. Suffolk County, New York City and Albany make reports available on municipal websites. Law should mirror the transparency practices that these municipalities have already implemented.

Penalize Municipalities for Incomplete Reports

Certain municipalities failed to file an annual report or submitted late or incomplete reports. AAA recommends a penalty or fee for municipalities who do not follow the reporting requirements spelled out in the enabling legislation. A monetary penalty for lateness or incompleteness imposed by the State should be dedicated to traffic safety initiatives.

Public Education & Warning Period

Municipalities implementing a red light camera program should conduct a public education campaign to inform drivers of an active red light camera program and to discourage unsafe driving behaviors. The program can be connected to other safe driving campaigns like "Vision Zero" and is more effective when accompanied by a comprehensive traffic safety strategy that includes education and engineering.

Each new program should also establish a probationary period (e.g. 30-60 days) when only warnings are provided, and notice should be provided to the public. The warning period should be in effect each time a camera is placed in a new location as well. White Plains⁶⁷, New Rochelle⁶⁸ and the City of Albany⁶⁹ all provided residents a warning period prior to enforcement. Enshrining a warning period in law ensures community awareness and uniformity across all municipalities.

Conclusion

Red light camera programs can be a successful tool to reduce crashes and fatalities associated with red light running. AAA continues to support red light camera programs implemented by communities that provide resources dedicated to a high-quality program which makes safety a priority. Municipalities which find an increase in crashes and/or injuries after camera installation should work closely with traffic engineers to improve program performance. As all active red light camera programs need improvement and as municipalities continue to seek approval for new cameras, legislation should be introduced to ensure reforms are implemented to improve current and future red light automated enforcement programs throughout New York.

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