

Speed Camera

Q & A: Photo Enforcement Program for School Zone Speed Violations

Why use traffic safety cameras?

According to the National Highway Traffic Safety Administration (NHTSA), between 1994-2004 there were 182 school-age pedestrian fatalities. Out of these fatalities, 69% were pedestrians struck by a vehicle within a school zone. Nearly half of all school-age pedestrians killed in school transportation related crashes were between 5-7 years of age. According to the Washington State Traffic Safety Commission, the probability of a pedestrian fatality rose from about 10 percent to about 60 percent, a six-fold increase, when vehicle impact speed increased from 23 mph to 28 mph.

In June 2011, the Des Moines City Council adopted an ordinance which authorized a twelve (12) month pilot program to use "automated traffic enforcement" (ATE) to further address traffic safety in school zones.

After conducting comprehensive speed studies in September 2010 and April 2011, the City of Des Moines chose the area on 16th Avenue South in front of Woodmont Elementary as the safety priority for its pilot program since the posted speed limit is 35 mph and traffic volumes through this school zone are higher than any other school zones in the City. The results of the speed studies showed an average of 100 to 130 speeding violations during peak pick-up and drop-off times during the day. In addition, a flashing beacon warning system was installed for this school zone several years ago with the 16th Avenue South improvement project.

In May, 2012 the City of Des Moines evaluated the Automated Speed Enforcement Program and determined it is accomplishing its goal of alerting drivers to the school zone, reducing speeds, and increasing safety for students. The program evaluation showed an 82% reduction in the number of speeding motorists going 6+ MPH through the Woodmont Elementary 20 MPH School Zone since the implementation of the program.

In June 2012, due to this 82% reduction the Des Moines City Council approved to continue the Automated Speed Enforcement Program at Woodmont Elementary as well as expanding the program to include an additional school site located on 24th Avenue South in front Midway Elementary and Pacific Middle School. The City of Des Moines chose this second site after conducting another comprehensive speed study in February 2012 which showed an average of about 100 speed violations per day. This school zone also has a flashing beacon warning system indicating the school zone is active.

Des Moines Municipal Code (DMMC) 10.36 authorizes the installation and operation of automated cameras to enforce the city's school speed zone laws.

How does the program work?

To create a safer school zone for children, the speed cameras will only operate on school days when the flashing beacon warning system is operating before and after school:

Woodmont Elementary

8:00 – 8:40 a.m. and 3:00 – 3:30 p.m.

The speed cameras will monitor both directions along 16th Avenue South in front of Woodmont Elementary School.

Midway Elementary / Pacific Middle School

There is two (2) starting times the speed enforcement cameras will activate in this school zone due to the separate starting times of Midway Elementary and Pacific Middle School.

7:35 – 8:15 a.m.

8:35 – 9:15 a.m.

2:35 – 3:05 p.m. (Early Dismissal Fridays 1:05 – 1:35 p.m.)

3:35 – 4:05 p.m. (Early Dismissal Fridays 2:05 – 2:35 p.m.)

The speed cameras will monitor both directions along 24 Avenue South in front of Midway Elementary and Pacific Middle School.

Only vehicles which exceed the school zone's speed limit of 20 mph are photographed and videotaped. Before infractions are mailed to the registered owners of the speeding vehicles, an authorized officer for the Des Moines Police Department will review and confirm each violation.

The speed cameras will only capture images of the rear of the offending vehicle and license plate. Along with the already flashing warning beacons, the City of Des Moines installed signs along 16th Avenue South and 24th Avenue South to notify the drivers of the speed cameras.

When does this program start?

On October 1, 2011, the City of Des Moines went live with the system and started its 30 day introductory and public education period by issuing warnings with no monetary penalty to the speed violators on 16th Avenue South in front of Woodmont Elementary. This introductory and public education period was due to expire on November 1, 2011, but due to warning notices not being mailed out for the entire 30 day period it was extended through December 2011. Warning notices continued to be mailed until the completion of this extended warning period and actual enforcement with Notice of Infractions being issued commenced on December 1, 2011.

On November 1, 2012, the City of Des Moines activated its speed enforcement camera system and started the introductory and public education period where warning notices, but no monetary penalty will be issued to the registered owner of any vehicle photographed while speeding on 24th Avenue South in front of Midway Elementary and Pacific Middle School. Actual enforcement and the issuance of Notice of Infractions will commence on January 2, 2013..

How much is the penalty?

The infraction fine amount is \$210.00 for speed violations over the posted 20 mph zone and \$250.00 for speed violations 11 mph + over the posted 20 mph zone. The fine amount is the same and in some cases less than the fine which would be imposed if an officer actually stopped the driver and issued the violation. If payment is not received, or a hearing is not set prior to the due date indicated on your Notice of Infraction, a late fee will apply.

I've received a Notice of Infraction. What are my options?

There are several options:

- 1) Pay the penalty.
- 2) Request a mitigation hearing to explain the circumstances.
- 3) Request a hearing to contest the Notice of Infraction.
- 4) Submit a Declaration of Non-responsibility.

Instructions on how to proceed with each option are included on your notice.

How do I pay the penalty?

There are several payment options:

1) Pay in person, on or before the due date, Monday through Friday, 8:00 a.m. to 4:30 p.m. at the Des Moines Municipal Court, 21630 11 Avenue South, Suite C in Des Moines. Payment is accepted in cash, money orders, certified and personal checks.

2) Pay online 24 hours a day at www.desmoineswa.gov/paymentus

3) Send a check or money order in U.S. Funds, payable to the Des Moines Municipal Court, for the amount due shown on the front of the Notice of Infraction, on or before the due date. Please enclose the detachable coupon on the Notice of Infraction with your payment. Write your Notice # and your license plate # on your check or money order. Please do not mail cash.

You may be able to enter into a payment plan with the court under RCW 46.63.110. A service fee of up to \$25.00 may apply to administer the payment plan.

What type of infraction is this?

An infraction detected through the use of an automated traffic safety camera is a non-criminal offense for which you cannot go to jail. The penalty for this infraction, like a parking ticket, is not part of the violator's driving record.

Therefore, a finding that the infraction was committed – either by payment or after a hearing – will not be reported to the Department of Licensing. However, failure to respond to a Notice of Infraction, appear for a requested hearing, or pay if found committed at a hearing will result in a hold being placed on your vehicle's

registration and vehicle license renewal. You may also incur additional penalties and unpaid fines will be sent to a collection agency.

What is a school zone violation?

A school zone violation occurs when a vehicle exceeds the school zone speed limit of 20 mph during the specified school zone hours.

Will the city evaluate the Photo Enforcement Program to see if it's meeting its goal?

Yes. The city will continue to monitor and evaluate the program throughout the year to ensure it is creating safer school zones for children by encouraging safer driving in these areas.

What happens to the money collected from fines issued by this program?

The revenue generated from this program first pays for the equipment/payments to the contractor and covers the city's cost of running the program (i.e. officer's time to review the violation and court time to process). The remaining revenue will go into a dedicated Traffic Safety Fund for projects such as sidewalks along identified school walking routes, crosswalk enhancement projects, street signage, enforcement initiatives, traffic calming equipment such as driver feedback signs, implementation of flashing beacon warning systems in other school zones, and other safety projects aimed at enhancing pedestrian safety—particularly in and around schools in our community.

What if I was not driving the offending vehicle during the time of the violation?

You can submit a Declaration of Non-Responsibility however you will still be required to appear in court to give a statement under oath. Instructions are included on your Notice of Infraction.

I was driving under the speed limit along 16th Avenue South, but still saw flashes from the camera taking photos. WHY?

The speed camera may have been taking photos of a vehicle that was traveling in the opposite direction, or was located in front or back of you.

Who do I call if I have further questions?

Call the Des Moines Municipal Court at (206) 878-4597, Monday through Friday from 8:00 a.m. to 4:30 p.m.