

Testimony before the Committee on Transportation &
the Environment & the Committee on the Judiciary & Public Safety

Public Roundtable regarding:
Support for proposed transfer of the Automated Traffic Enforcement (ATE) Program
from MPD to DDOT

By Cheryl Cort, Policy Director
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Please accept these comments on behalf of the Coalition for Smarter Growth (CSG). The Coalition for Smarter Growth is the leading organization working locally in the Washington, D.C. metropolitan region dedicated to making the case for smart growth. Our mission is to promote walkable, inclusive, and transit-oriented communities, and the land use and transportation policies and investments needed to make those communities flourish.

Thank you for the opportunity to discuss the question of transferring ATE from MPD to DDOT. Whatever shortcomings individuals may find with DDOT, there's substantial agreement that the District's photo enforcement program is currently not optimally managed by MPD. Given that 30+ people die each year on our streets, we think we should not turn down an opportunity to use a different approach to try to improve traffic safety. We believe that the administration has made a credible case for the improved deployment of photo enforcement through DDOT. DDOT is lead on Vision Zero and implementation of dedicated transit lanes (H & I, and soon for 16th Street and K Street). It makes sense to enable DDOT to integrate automated traffic enforcement into these programs.

While the Transportation Committee report has questioned whether DDOT management of ATE is more efficient than MPD's management, we point to DDOT's ability to better integrate its use of ATE into its larger traffic safety initiatives, including Traffic Calming, Highway Safety Improvement Program, Livability Studies, and other Vision Zero strategies that integrate the 4 E's – engineering, enforcement, education and evaluation. DDOT's direct management enables the agency to directly deploy ATE based on its data and safety performance assessments of corridors and intersections, without negotiating with MPD to make changes to camera positions.

This is how other leading jurisdictions have approached it, such as New York City and Chicago, where their DOTs are in charge on automated traffic enforcement (see New York City DOT's report on automated traffic enforcement report from June 2017

here: <http://www.nyc.gov/html/dot/downloads/pdf/speed-camera-report-june2017.pdf>).

DDOT's management of photo enforcement poses not legal issues. The Mayor currently has authority to use the "photograph" as valid evidence of a violation. Currently, and whether administered by MPD, DDOT, DPW, or another agency, the use of photographs to detect violations are legally treated as non-moving. The penalty is a fine – no points on the license. The violation is associated with the registered vehicle, not the driver.

The Transportation committee report suggested that tickets issued by DDOT might not be treated as seriously as tickets from DDOT. We do not think that parking tickets issued by DPW rather than MPD are taken less seriously. Currently DPW issues most tickets for parking violations. From personal experience, I can assure you that parking tickets for violating street sweeping, out of date registration stickers, or expired meters *are* taken seriously.

Another aspect to the benefit of DDOT managing the ATE program is tying high violation areas to changing underlying conditions leading to high levels of violations. WABA recommends in its recent [report](#) that we should "fix infrastructure at high revenue traffic safety cameras," specifically:

The goal of the automated traffic safety camera program is safety, not revenue. In places where an automated traffic camera generates a disproportionate amount of money, the underlying street design should be changed immediately, using the tactical design process described above. Traffic calming techniques should be employed to encourage safe driving through better street design.

Without putting DDOT in charge, we are concerned that developing new applications for photo enforcement, such as bus lane compliance, bike lane compliance, and other new uses, will be slow and not dynamic. Currently, ATE is being developed for deployment to enforce bus lanes on 16th Street. It's urgent that we establish effective enforcement of bus lanes as the city is finally moving to put dedicated bus lanes in place. Requiring DDOT to work through MPD are likely to slow down deployment and the adjustments needed as the District fine-tunes this new use of ATE.

We all agree that the goal is compliance with the rules of the road, not ticket and revenue generation. DDOT offers an important opportunity to potentially greatly improve on the use of this powerful tool for safety and operate a more efficient transportation system.

Thank you for your consideration on this issue.