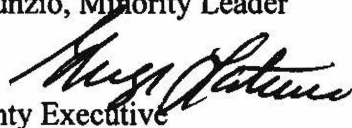


July 15, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: **Message Requesting Immediate Consideration: Local Law – The
Westchester County Red Light Camera Demonstration Program.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators July 15, 2024 Agenda.

Transmitted herewith for your review and approval is a Local Law which would amend the Laws of Westchester County by adding a new Chapter 709 relating to the establishment of the “The Westchester County Red Light Camera Demonstration Program.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for July 15, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

Office of the County Executive

July 15, 2024

Westchester County Board of Legislators
County of Westchester
800 Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

I respectfully request that your Honorable Board adopt the attached Local Law which would amend the Laws of Westchester County by adding a new Chapter 709 relating to the establishment of the “The Westchester County Red Light Camera Demonstration Program.” The Westchester County Department of Public Safety (“DPS”) has witnessed an increase in drivers moving through red lights. Red light cameras have been effective in reducing such incidents and in improving public safety in other jurisdictions. The implementation of the use of red light cameras at intersections with the highest incidence of accidents related to a driver’s failure to stop at a red light has been found to dissuade drivers from engaging in such behavior and from engaging in other unsafe driving habits.

The Insurance Institute for Highway Safety (“IIHS”) research examining large U.S. cities with red light camera programs found significant reductions in citywide fatal red light crash rates (and crash rates of all types) at intersections with traffic signals, including intersections that did not have a camera. The research demonstrated drivers tend to change their behavior when they know they’re being monitored. In 2020 IIHS reported that 928 people were killed in crashes that involved running red lights, and that half of those killed were pedestrians, bicyclists and people in other vehicles who were hit by the red light runners. That same year, an estimated 116,000 people were injured in red light running crashes. The IIHS also noted that automated enforcement is intended to augment, not replace, traditional traffic enforcement activities and to remind drivers that there is always a risk of “getting caught” running a red light. According to IIHS, a systematic review summarized evidence from 38 separate studies and found that overall, red light cameras are effective at reducing right angle crashes and related injuries, as well as total injuries. An ancillary benefit of a red light camera program is that it can address inequities present in traditional traffic enforcement, since cameras do not see race, nationality, gender or other unique characteristics of a driver. In fact, a report for the Governors Highway Safety Association, equitably implemented and transparent automated enforcement was recommended as a strategy to advance racial equity in traffic enforcement.

The proposed legislation would allow for the implementation of a demonstration program in the County imposing monetary liability on the owner of a vehicle for failure to comply with traffic control indications. To that end, it authorizes the County to install and operate traffic control signal photo violation monitoring devices at no more than fifty intersections under the jurisdiction of the County until December 31, 2027, unless extended by an act of the State Legislature. The proposed legislation, however, would not permit

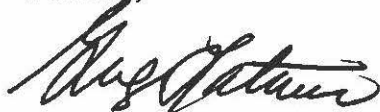
the County to place Traffic Control Signal Photo Violation Monitoring Devices at intersections on County-owned roadways located within the Cities of White Plains, Mount Vernon, Yonkers or New Rochelle, if these municipalities object to the installation of said devices.

The proposed legislation also specifies an automated process through which a Notice of Liability would be sent to each person alleged to be liable as a vehicle owner for a violation of the Vehicle and Traffic Law requiring that a vehicle stop at an intersection with a red light displayed on the traffic control device. The Notice of Liability will provide the manner in which an individual may contest the liability alleged in the notice. Violations issued under the proposed local law would be adjudicated in the local courts of the municipality where the alleged violation occurred. The proposed legislation would also require that a Certificate, sworn to or affirmed by a technician employed, hired or contracted by the County be prepared and submitted as evidence of the alleged violation. The Certificate will be based upon inspection of photographs, microphotographs, videotape or other recorded images produced by a traffic control signal photo violation-monitoring system, be prepared and submitted as evidence of the alleged violation. If the alleged violation is proven, the legislation imposes a maximum monetary penalty of \$50 for each violation and an additional penalty of not more than \$25 for the failure to respond to a notice of liability within the prescribed period. If adjudicated in a local court, the fines would be distributed by the New York State Comptroller's Office with 80% of the fine being distributed to the County of Westchester and 20% to the municipality where the infraction was adjudicated. Defenses to the proposed law include: (1) that the vehicle involved had been reported to a police department as having been stolen; (2) where an owner is a Lessor of a vehicle to which a notice of liability was issued; (3) where the operator of such vehicle was operating it without the consent of the owner at the time the operator of said vehicle failed to obey a traffic control device; or (4) where the traffic control indications were malfunctioning at the time of the alleged violation.

Additionally, the proposed legislation requires the Commissioner of DPS to submit an annual report to various State officials, the County Executive and your Honorable Board detailing the results of the use of a traffic control signal photo violation-monitoring system on or before June 1st of each year. The report will track statistics pertaining to the number, type and severity of accidents reported at intersections with a red light camera, the number of violations recorded at each such intersection and the number of fines imposed and total amount of fines paid, among other things. The report will allow the County to analyze the effectiveness of the program on an annual basis, and to determine the efficacy of the continuation of said program.

In light of the aforementioned concerns, I respectfully urge that your Honorable Board adopt the attached Local Law amending the Laws of Westchester County by adding a new Chapter 709 relating to the establishment of a Red Light Camera Demonstration Program.

Sincerely,



George Latimer
County Executive

GL/nn

TO: HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of "A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 709 relating to the establishment of "The Westchester County Red Light Camera Demonstration Program."

Your Committee is informed that the Westchester County Department of Public Safety has witnessed an increase in drivers moving through red lights. The red light camera demonstration program has been effective in reducing such incidents and in improving public safety in other jurisdictions. The implementation of the use of red light cameras at intersections with the highest incidence of accidents related to a driver's failure to stop at a red light has been found to dissuade drivers from engaging in such behavior and from engaging in other unsafe driving habits.

Your Committee is further informed that the Insurance Institute for Highway Safety ("IIHS") research examining large U.S. cities with red light camera programs found significant reductions in citywide fatal red light crash rates (and crash rates of all types) at intersections with traffic signals, including intersections that did not have a camera. The research was explained that because drivers tend to change their behavior when they know they're being monitored. In 2020 IIHS reported that 928 people were killed in crashes that involved red light running, and that half of those killed were pedestrians, bicyclists and people in other vehicles who were hit by the red light runners. That same year, an estimated 116,000 people were injured in red light running crashes. The IIHS also noted that automated enforcement is intended to augment, not replace, traditional traffic enforcement activities and to remind drivers that there is always a risk of "getting caught" running a red light. According to

IIHS, a systematic review summarized evidence from 38 separate studies and found that overall, red light cameras are effective at reducing right angle crashes and related injuries, as well as total injuries.

Your Committee is advised that the proposed legislation would allow for the implementation of a demonstration program in the County imposing monetary liability on the owner of a vehicle for failure to comply with traffic control indications. To that end, it authorizes the County to install and operate traffic control signal photo violation monitoring devices at no more than fifty intersections under the jurisdiction of the County until December 31, 2027, unless extended by an act of the State Legislature. The proposed legislation, however, would not permit the County to place Traffic Control Signal Photo Violation Monitoring Devices at intersections on County-owned roadways located within the Cities of White Plains, Mount Vernon, Yonkers or New Rochelle, if these municipalities object to the installation of said devices.

Your Committee is further advised that the proposed legislation also specifies an automated process through which a Notice of Liability would be sent to each person alleged to be liable as a vehicle owner for a violation of the Vehicle and Traffic Law requiring that a vehicle stop at an intersection with a red light displayed on the traffic control device. The Notice of Liability will provide the manner in which an individual may contest the liability alleged in the notice. Violations issued under the proposed local law would be adjudicated in the local courts of the municipality where the alleged violation occurred. The proposed legislation would also require that a Certificate, sworn to or affirmed by a technician employed, hired or contracted by the County be prepared and submitted as evidence of the alleged violation. The Certificate will be based upon inspection of photographs, microphotographs, videotape or other recorded images produced by a traffic control signal photo violation-monitoring system, be prepared and submitted as evidence of the alleged violation. If the alleged violation is proven, the legislation imposes a maximum monetary penalty of \$50 for each

violation and an additional penalty of not more than \$25 for the failure to respond to a notice of liability within the prescribed period. If adjudicated in a local court, the fines would be distributed by the New York State Comptroller's Office with 80% of the fine being distributed to the County of Westchester and 20% to the municipality where the infraction was adjudicated. Defenses to the proposed law include: (1) that the vehicle involved had been reported to a police department as having been stolen; (2) where an owner is a Lessor of a vehicle to which a notice of liability was issued; (3) where the operator of such vehicle was operating it without the consent of the owner at the time the operator of said vehicle failed to obey a traffic control device; or (4) where the traffic control indications were malfunctioning at the time of the alleged violation.

Your Committee notes that the proposed legislation also requires the Commissioner of the Department of Public Safety to submit an annual report to various State officials, the County Executive and this Honorable Board detailing the results of the use of a traffic control signal photo violation-monitoring system on or before June 1st of each year, the report will track statistics pertaining to the number, type and severity of accidents reported at intersections with a red light camera, the number of violations recorded at each such intersection and the number of fines imposed and total amount of fines paid, among other things. The report will allow the County to analyze the effectiveness of the program on an annual basis, and to determine the efficacy of the continuation of said program.

Your Committee is advised that the proposed Local Law does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January

8, 2024, which is on file with the Clerk of the Board of Legislators. Your Committee concurs with this conclusion.

Your Committee, after careful consideration, recommends the adoption of this Local Law.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON

JSB-07-08-24

RESOLUTION NO. ____ - 2024

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. _____ - 2024, entitled "A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 709 relating to the establishment of "The Westchester County Red Light Camera Demonstration Program". The public hearing will be held at .m. on the ____ day of ____, 2024 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.