

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2621 A

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Tim Walker
Reviewed by: Steve Bender, Julie Neburka
Date: 04/20/2015

Measure Description:

Authorizes City of Portland to operate photo radar on urban high crash corridors.

Government Unit(s) Affected:

Cities, Oregon Department of Transportation (ODOT), Judicial Department

Summary of Expenditure Impact

See explanation below.

Summary of Revenue Impact

See Revenue Impact Statement.

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

This bill would allow the City of Portland to operate fixed photo radar systems in urban high crash corridors under specified conditions. Current law allows photo radar systems to be operated for no more than four hours in one location and an officer must be present while the system is in operation.

The Legislative Fiscal Office will further review the fiscal impact of this bill for the Joint Committee on Ways and Means. The Oregon Judicial Department (OJD) anticipates an increase in citations being issued because of 24-hour operation and the photo radar systems not needing to be staffed. The City of Portland anticipates installing 10 to 20 fixed photo radar cameras in various high crash corridors. It is assumed that the City of Portland will install the photo radar systems between January of 2016 and July of 2018 and each camera will result in 15 additional citations per 24 hour period. OJD anticipates additional resources will be required to handle the increased workload.

Currently, Multnomah County Circuit Court receives approximately 30,000 speeding citations per year, or 82 citations per day, issued by officers stationed in a van using photo radar under limited circumstances. OJD estimates an additional 55,000 new citations in 2015-17 and 219,000 citations in 2017-19 due to the use of fixed photo radar. Given an average cost to process a citation in circuit court of \$39.25, General Fund costs could total approximately \$2.2 million in the 2015-17 biennium and approximately \$8.6 million in 2017-19. Five of the ten urban high crash corridors are east of 122nd Street and these citations would be assigned to the East County Courthouse. This bill would not preclude the City of Portland from using the current manned photo radar vans.

Fines from citations will add additional revenue to the Criminal Fine Account (CFA) and to the City of Portland. The CFA would receive roughly 2/3 of the revenue generated and 1/3 of the revenue would be received by the City of Portland. The measure dedicates the revenue distributed to the City of Portland to the purposes of maintaining the photo radar units and improving traffic safety.

The Legislative Fiscal Office believes this measure warrants a subsequent referral to the Joint Committee on Ways and Means Committee for consideration of this measure's budgetary impact on the State's General Fund.

**REVENUE IMPACT OF
PROPOSED LEGISLATION**
**Seventy-Eighth Oregon Legislative
Assembly**
2015 Regular Session
Legislative Revenue Office

Bill Number: HB 2621-A
Revenue Area: Court Fees
Economist: Mazen Malik
Date: 4-20-2015

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Versions are Considered Official*

Measure Description:

Authorizes City of Portland to operate photo radar on urban high crash corridors.

Revenue Impact (in \$Millions):

		2015-17	2017-19	2019-21
Criminal Fine Account		\$16.1	\$30.2	\$33.7
City of Portland		\$6.6	\$12.3	\$13.8
Total Revenue		\$22.6	\$42.5	\$47.4

Impact Explanation:

The permanent photo-radar units are composed of a pair of cameras one for each direction. The roll out of these units in the high-crash corridors will be mostly in 2016, 2 cameras on 1/1/16, 2 more on 4/1/16, 2 more on 7/1/16, and 2 more cameras on 10/1/16. Two additional cameras on January 2017 will bring the total to 10 cameras. Additional 10 unites (for total of 20 cameras) will be installed by 7/1/2018. Data from the city of Portland biennial reports suggest that the current mobile-camera, which is time limited (4-hours), averages around 13 citations per hour (2009-2013). This average is proportioned for the time of day (4 hours at the same average) and 11 hours at 25% of the average, while the rest of the day at 10%. This apportionment results in base estimate of about 4.1 citations an hour or slightly less than 100 a day for each of the new stationary cameras. However, the 2016 rate will quickly go through an 11% reduction to become 3.7 citations per hour for the six months in FY 2016. The analysis fashions reductions in speeds and citations to the experience of both Portland and Seattle. This assumes a 61% reduction in violations by year 2021 in those corridors as a result of changing behaviors of drivers. The citations are likely to have a 67% final collection (the same as current rate) which filters into the final revenue stream at that rate. A pivotal assumption for this revenue analysis is that the radar systems will perform with a very high reliability, and the courts be well funded and staffed to be able to process all the new cases that come in to the court system. Those transactions are about 217 thousand a year as the radar units all are installed quickly and brought on line and into operation.

Creates, Extends, or Expands Tax Expenditure: Yes No

STAFF MEASURE SUMMARY

House Committee On Transportation and Economic Development

Fiscal: Fiscal impact issued**Revenue:** Revenue impact issued**Action Date:** 04/17/15**Action:** Without Recommendation, With Amendments, Be Printed Engrossed And Be Referred To Ways And Means.**Meeting Dates:** 03/09, 04/17**Vote:**

Yeas: 4 - Gorsek, Lively, McKeown, McLain

Nays: 2 - Bentz, Davis

Exc: 1 - Hack

Prepared By: Patrick Brennan, Committee Administrator**WHAT THE MEASURE DOES:**

Authorizes the City of Portland to operate fixed photo-radar systems on high-crash urban corridors. Requires review of photographic evidence by officer prior to issuing citation. Specifies that citation revenues be used only for operation and maintenance costs of system and for improving traffic safety for all modes of transportation. Sunsets January 1, 2024.

ISSUES DISCUSSED:

- High incidents of injury and fatal accidents on certain roads in Portland
- Types of photo radar machines
- Compensation models for providers of photo radar devices
- Use of manned and unmanned photo radar in Oregon and other states
- Need for education, engineering, encouragement and enforcement
- Correlation between speed and fatality rate for vehicle-pedestrian accidents

EFFECT OF COMMITTEE AMENDMENT:

Replaces term “photo radar unit” with “fixed photo radar system.” Replaces provisions relating to police officers reviewing video recordings with review of photographic evidence. Requires outcome evaluation to include review of process for administering fixed photo radar system. Requires conformity with specifications for traffic control devices approved by Oregon Transportation Commission under ORS 810.200. Replaces term “certificate” with “affidavit.” Specifies that, notwithstanding ORS 153.675, amounts paid from citations be used only for operation and maintenance costs of system and for improving traffic safety for all modes of transportation.

BACKGROUND:

There are currently 11 cities in Oregon (Albany, Beaverton, Bend, Eugene, Fairview, Gladstone, Medford, Milwaukie, Oregon City, Portland and Tigard) that are statutorily permitted to use photo radar devices to enforce speed limits on segments of public roads. The photo radar devices are limited to use in residential areas or school zones or in other locations if a local governing body finds that speed has a negative impact on safety. Use of the devices is limited to four hours per day in a given location; Fairview was authorized, under a pilot program during 2014, to operate in school zones during the hours between 7:00 AM and 5:00 PM. Cities operating photo radar are required to submit biennial reports to the Legislative Assembly outlining the results of required process and outcome evaluations of their photo radar programs.