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# AZ legislators mount bid to foil governor on photo radar

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CAPITOL MEDIA SERVICES

PHOENIX — State lawmakers moved Tuesday to block plans by Gov. Janet Napolitano to roll out photo-radar enforcement throughout the state.

On a 3-2 party-line vote, the Senate Transportation Committee approved legislation to prohibit any type of photo-enforcement system on state roads to detect speed violators.

Sen. Ron Gould, R-Lake Havasu City, said he doesn't buy arguments by Napolitano that photo enforcement makes highways safer. And Gould said he believes the real reason the governor wants the Department of Public Safety to eventually deploy 170 photo radar cameras, both mobile and fixed, is to generate revenue.

But Gould isn't counting on Napolitano to sign SB 1470 assuming it reaches her desk. He noted the governor's proposal to balance her spending plan next year is built on the state collecting \$90 million in photo-radar fines.

So he persuaded the panel's two other Republicans to also approve SCR 1032. It is identical to SB 1470 in every respect except one: It is not subject to gubernatorial veto and instead puts the issue on the November ballot for voters to decide.

The panel also approved a third Gould-crafted measure as a backup. It spells out that if the state does use photo radar, tickets could be given only to those who are driving faster than what 85 percent of motorists normally travel.

Right now, the DPS sets its photo radar cameras to catch anyone driving 11 miles over the limit. So for a highway posted for 55 miles per hour, that would be 66.

Under SCR 1033, if the top speed of the bottom 85 percent of motorists on a clear, dry day is 70 mph, then photo radar cameras could not issue a citation until a vehicle was clocked as 71 mph. The posted speed on the highway would be legally irrelevant.

That measure, if approved by lawmakers, also would bypass the governor and go to the ballot.

The votes on the first two bills came over objections from DPS Lt. Bob Ticer, who said photo-radar systems create safer roads.

He cited the nine-month experiment by the city of Scottsdale that set up fixed cameras along a section of the Loop 101 freeway. Ticer said average speeds on that stretch dropped nearly 10 mph, sideswipe crashes were reduced by 58 percent, one-vehicle accidents were down 71 percent and total injuries dropped 41 percent.

"This is technology that has been working," Ticer told lawmakers.

But Sen. Robert Blendu, R-Litchfield Park, said the fallacy is that speed is the primary cause of mishaps. He

## DID YOU KNOW ...

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To see where the van will be, go online to [tpdinternet.tucsonaz.gov](http://tpdinternet.tucsonaz.gov) and scroll down the menu until you see the link.

said the prime causes are inattention or reckless activity.

"I don't believe that photo radar does any of the things you said, other than raise revenues," he told Ticer.

Ticer disagreed.

"We are putting those out there with the intent of getting people to slow down," he said. Ticer noted state law requires his agency to erect two signs ahead of any photo radar unit, one of which must be about 100 yards away.

Blendu remained unconvinced photo radar will create safer drivers.

"Nothing changes people's behavior like a highway patrolman" pulling them over, Blendu said.

Sen. Pamela Gorman, R-Anthem, had her own problem with photo radar.

Gorman said she got a photo-radar ticket in Scottsdale despite the fact she had set her cruise control below the point at which the system was supposed to issue a citation. Rather than fight it, she went to traffic school, where Gorman said she met another driver with a similar story.

"So I question how well they're calibrated," she said.

Ticer said he could not speak to what occurred in Scottsdale but said the two mobile vans now being operated by a private company for DPS are calibrated daily.

SCR 1033, which would use average actual speeds to set when photo-radar citations can be issued, stems from Gould's contention that posted speed limits are arbitrary. He said issuing tickets at 11 miles over that posted speed simply creates speed traps.

Blendu agreed, saying engineers used to go out and study the design of the roads as well as how fast motorists were driving safely before posting speed limits. "Now we just make it up," he said.

The governor's budget presumes the state will have 100 photo radar units, mobile and fixed, in place during the coming budget year. She is projecting each unit would catch, on average, five motorists an hour, 24 hours a day, exceeding the posted limit by 11 mph.

Discounting citations that can't be issued because photographs are bad or license plates are unreadable, and discounting those who don't pay, Napolitano figures each camera would produce more than 13,000 paid tickets each year at an average fine of \$157.

Minus costs, that nets the state \$90 million as all the cameras will not be operating for the entire 12-month period.

The DPS actually is seeking bids for 170 photo-radar units. But some of these would be designed to catch people running red lights on state roads.

Gubernatorial press aide Shilo Mitchell said Napolitano will not comment on the legislation.

Gould's measures barring the use of photo radar actually would have broader effect. The wording would bar cities and counties from setting up their own mobile photo radar units on any state road within their jurisdiction.

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