



Published: 02.29.2008

Ariz. bill favoring low-level speeders advances

By Howard Fischer

CAPITOL MEDIA SERVICES

PHOENIX — State lawmakers are moving to give a break to speeders, as long as they don't drive really really fast and don't do it often.

In the process, they could be undermining plans by Gov. Janet Napolitano to roll out photo-assisted radar statewide.

On StarNet: For more lawmaking stories and to see the StarNet politics blog, go to azstarnet.com/politics.

Legislation approved Thursday by the House Transportation Committee would reduce the penalty for speeding up to 11 mph over the limit from three license points to one. Eight points in a year send a driver to traffic survival school; 12 points result in a license suspension.

What's more, the opportunity to escape with no fine, no points and no hit to the insurance premiums goes way up because HB 2603 would allow those slow speeders to take defensive-driving classes once a year, instead once every other year, wiping out any record of the citation.

Both provisions would apply, whether the ticket is issued personally by a police officer or a photo-radar citation arrives in the mail.

But the measure takes a couple of specific swipes at the whole concept of photo radar.

One section would give speeders caught by photo radar one free pass, of sorts, every year: The first violation in any 12-month period could not be reported to insurance companies, regardless whether the speeder paid the fine or went to traffic school.

The legislation also would protect drivers who speed past multiple photo-radar cameras set up near one another on state roads: All violations within five miles and 20 minutes of one another would be reduced to a single traffic ticket.

It also would forbid issuing photo-radar tickets unless the violation was "witnessed by a law enforcement official."

Rep. Lucy Mason, R-Prescott, said that doesn't mean actually having a police officer at the scene. But it would require all photo-radar photographs and citations to be reviewed by a sworn peace officer — not by a clerk — before being mailed out.

The far-reaching measure comes amid increasing complaints by some lawmakers who contend that photo radar is not a legitimate safety tool.

Those concerns have been magnified by the governor's plans to have the Department of Public Safety lease 170 fixed and mobile speed cameras to be deployed around the state.

"I welcome any opportunity to stick my finger in the lens of photo radar, because I can't stand it," said Rep. Sam Crump, R-Anthem.

Rep. Steve Farley, D-Tucson, said his colleagues are wrong.

"While photo radar may be annoying, it has been proven by the studies ... that it is incredibly effective at reducing accidents," he said.

DPS Lt. Bob Ticer was particularly critical of easing the penalties on those driving just 11 mph over the speed limit.

Ticer said normal reaction time is 1.5 seconds, which translates to 55 feet for someone driving 25 mph in a residential area. At 35 mph, he said, that distance increases to 77 feet.

"That 22 feet is a large distance where a child could come out in between a vehicle, chasing a ball, riding a bicycle," Ticer said.

Mason was particularly insistent on the provision consolidating multiple violations that occur close together into a single ticket. She said motorists could be trying to navigate through "difficult traffic," not knowing they had been clocked speeding by three separate cameras along way. They could accumulate enough points to lose their licenses in one day, she said.

The measure, which now goes to the full House, also came over the objections of Don Isaacson, a lobbyist for State Farm Insurance.

He said there are studies showing that the number of times people get a ticket for speeding is a good predictor of whether they are likely to get in an accident.

This legislation is just part of the problem facing the governor's plan to collect \$90 million in revenue from putting photo radar on highways throughout the state.

She doesn't need legislative permission to have the cameras. But Napolitano needs a change in state law to have all of the revenues collected go to the state general fund.

Under current law, the base proceeds from all citations, whether issued by police or photo radar, go to the city or county where they're issued.

Napolitano has said the photo-radar setups are about safety and not the revenue. But the governor also said she sees nothing wrong with making speeders pay for various state programs she considers priorities.

On StarNet: For more lawmaking stories and to see the StarNet politics blog, go to [azstarnet.com/politics](http://www.azstarnet.com/politics).

All content copyright © 1999-2008 AzStarNet, Arizona Daily Star and its wire services and suppliers and may not be republished without permission. All rights reserved. Any copying, redistribution, or retransmission of any of the contents of this service without the expressed written consent of Arizona Daily Star or AzStarNet is prohibited.