

Red Light Camera Discussion

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The City of Las Cruces adopted the “Safe Traffic Operations Program” (STOP) ordinance authorizing photo-enforcement for speeding and red light violations in 2008. Since then, the Las Cruces Police Department has issued over 57,000 STOP citations. While many violators have paid their citations, there remains nearly \$1.8 million in unpaid fines. This presentation will go over the history of the Safe Traffic Operations Program and will explain current collection efforts.

Program History and Overview

- ▶ September 15, 2008 - City Council passes the *Safe Traffic Operations Program* ordinance (27-7 LCMC) authorizing photo-enforcement of speed and red light violations.
- ▶ The original ordinance had graduated fines for speeding and repeat red light violations.
 - Speeding fines –
 - \$80 (10 mph over)
 - \$100 (11 – 15 mph over)
 - \$125 (16 – 20 mph over)
 - \$150 (21 – 25 mph over)
 - \$175 (26 – 30 mph over)
 - \$200 (31 – 35 mph over)
 - \$250 (36 or more mph over)
 - Red light fines - \$100 (1st offense), \$125 (2nd), \$175 (3rd or subsequent)
- ▶ September 22, 2008 - the City of Las Cruces and Redflex Traffic Systems enter into an agreement whereby Redflex will provide photo-enforcement services to the City. The agreement expires March 30, 2014, however the City may extend the agreement for an additional two (2) years.

History and Overview – cont.

- ▶ January 5, 2009 - City Council amends the STOP ordinance, adding a Judicial education fee of \$2.00 and a Court automation fee of \$6.00 to be sent to the state treasurer.

- ▶ STOP camera locations –
 - Main/Solano (East/West)
 - Avenida De Mesilla/Valley (North/South)
 - Lohman/Walnut (East/West)
 - Plans for Lohman/Telshor are delayed due to road construction

- ▶ February 28, 2009 - LCPD begins issuing warning letters for violations captured by the STOP cameras.

- ▶ March 30, 2009 - LCPD begins issuing citations for violations captured by the STOP cameras.

History and Overview – cont.

- ▶ April 2009 - E/B camera at Lohman/Telshor goes active, preceded by a 30-day warning period.
- ▶ June 15, 2009 - City Council amends the STOP ordinance in response to changes in state law. (fines capped at \$100, 50% goes to state, hearing officer appointed by District Court, other minor changes)
- ▶ March 2010 – the New Mexico State Transportation Commission enacts a new policy restricting photo-enforcement on state roads, and gives CLC 60 days to comply.
- ▶ April 2010 – W/B camera at Lohman/Telshor goes active.
- ▶ May 12, 2010 – Main/Solano cameras goes inactive in compliance with Commission Policy 70.
- ▶ May 18, 2010 – S/B Avenida De Mesilla/Valley goes inactive in compliance with Commission Policy 70.

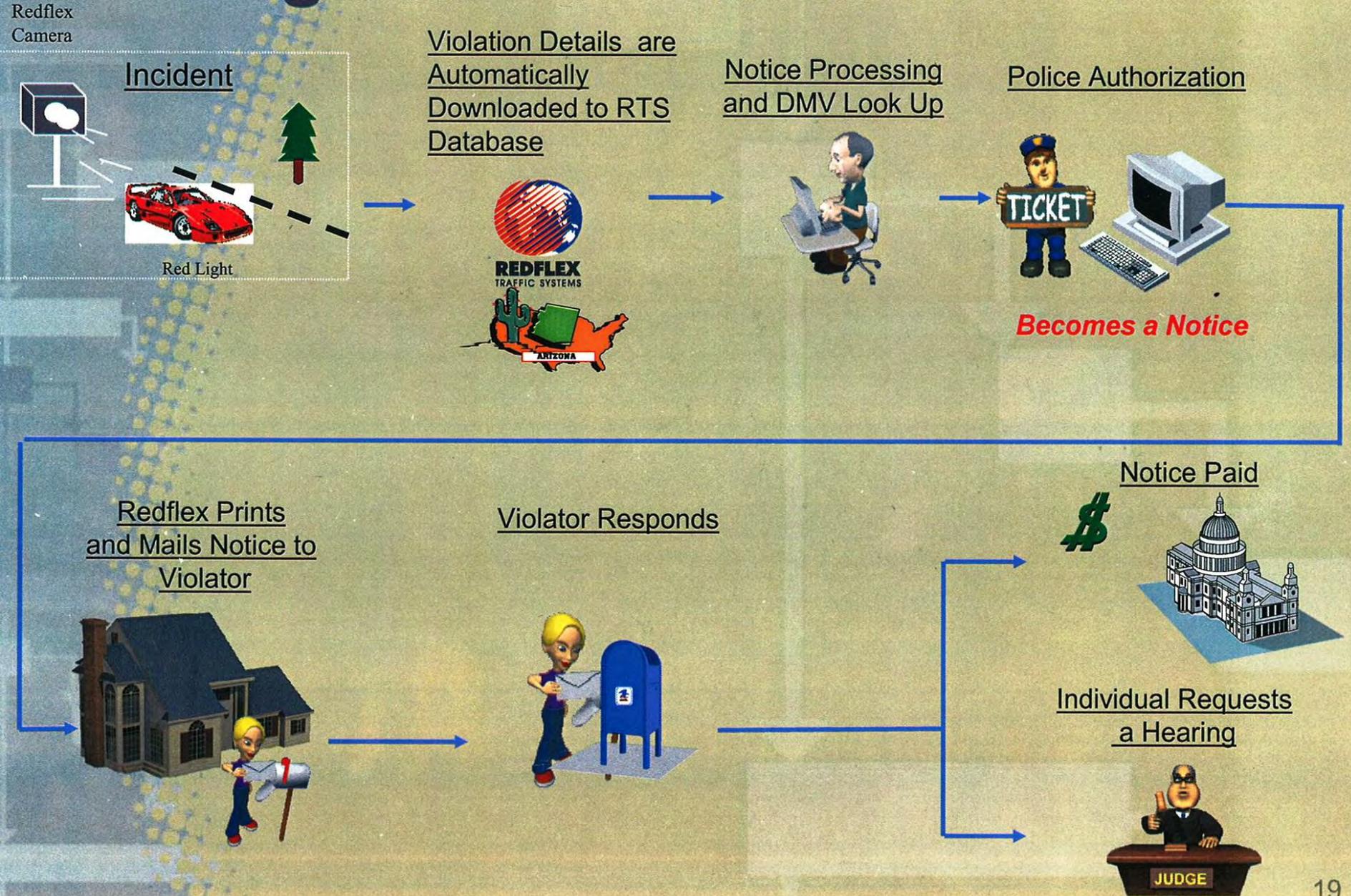
Criminal Traffic Citation vs. Civil STOP Citation

- Citations are issued to the driver (except parking violations).
 - Cases are heard by a Municipal or Magistrate judge who determines guilt or innocence.
 - The standard of proof is “guilt beyond a reasonable doubt”
 - Convictions result in a fine and/or jail time.
 - Violations are reported to MVD.
 - Failure to pay or appear in court causes an arrest warrant to be issued, and the driver’s license to be suspended.
- Citations are issued to the registered owner. R/O can “nominate” the actual offender which transfers the citation to that person.
 - Cases are heard by an appointed hearing officer. The hearing officer determines whether the driver/owner is liable or not.
 - The standard of proof is a “preponderance of the evidence”.
 - Persons found “liable” are fined \$100.
 - Violations cannot be reported to MVD.
 - Failure to pay fine or appear at hearing cannot result in an arrest warrant, nor can the violator’s license be suspended.

Criminal Traffic Citation

Civil STOP Citation

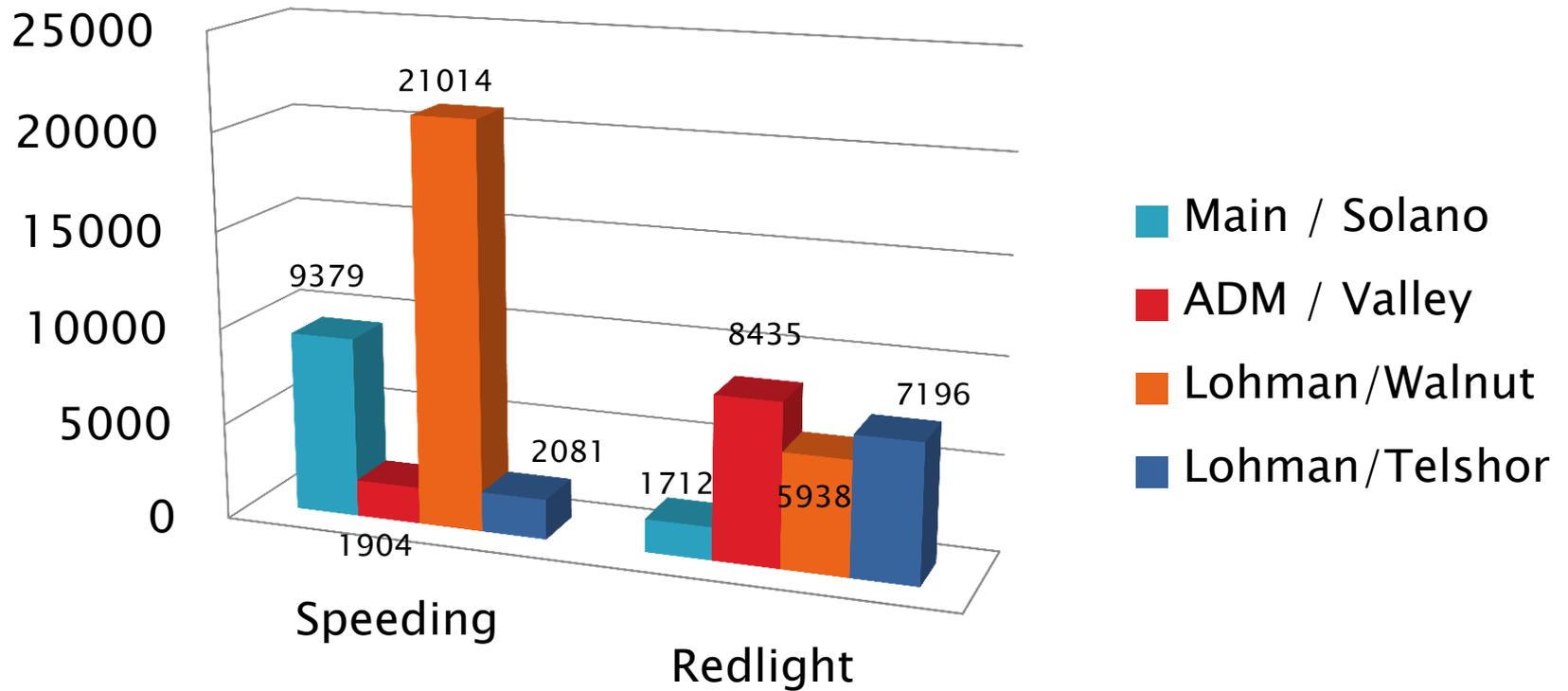
High Level Process Overview



STOP Citation Statistics

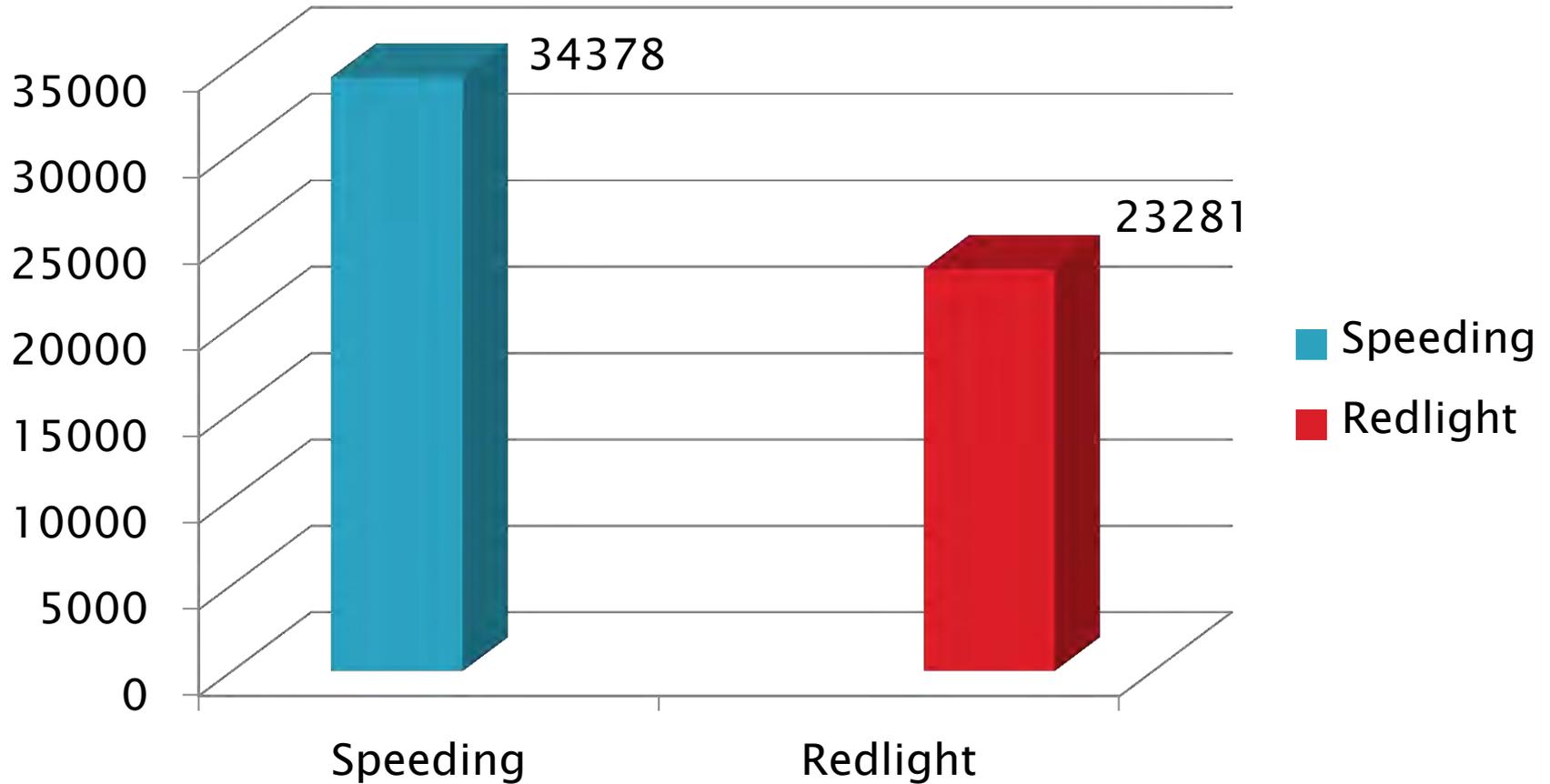
2009 – 2012

Source – LCPD Annual Reports, RTS



STOP Citation Statistics

2009 – 2012



*Lohman / Walnut
September 7, 2010*



STOP Receivable Aging Report

COMPARISON OF STOP CITATION RECEIVABLE AGING

DATE	Balance	Current	31 - 60 Past Due	61 - 90 Past Due	91 - 120 Past Due	121+ Plus Past Due
April, 2012	\$2,045,705.35	\$118,195.00	\$49,140.00	\$44,325.00	\$48,547.25	\$1,785,498.10
March, 2012	\$1,978,549.08	\$86,050.00	\$44,900.00	\$50,497.25	\$61,890.00	\$1,735,211.83
February, 2012	\$1,957,383.31	\$89,000.00	\$52,197.50	\$67,200.00	\$45,432.05	\$1,703,553.76
January, 2012	\$1,938,930.76	\$100,975.00	\$67,710.00	\$51,775.00	\$57,637.50	\$1,660,833.26
December, 2011	\$1,907,878.85	\$125,365.00	\$50,900.00	\$62,525.00	\$45,763.00	\$1,623,325.85
November, 2011	\$1,833,058.94	\$102,325.00	\$51,575.00	\$47,883.00	\$63,320.00	\$1,567,955.94
October, 2011	\$1,792,923.68	\$107,850.00	\$48,755.00	\$66,265.00	\$54,940.00	\$1,515,113.68
September, 2011	\$1,743,842.10	\$93,425.00	\$67,725.00	\$60,400.00	\$43,150.00	\$1,479,142.10
August, 2011	\$1,710,689.17	\$122,775.00	\$56,700.00	\$43,400.00	\$51,501.00	\$1,436,313.17
July, 2011	\$1,653,534.88	\$107,800.00	\$49,475.00	\$50,975.00	\$48,070.00	\$1,397,214.88
June, 2011	\$1,596,926.97	\$94,475.00	\$47,875.00	\$53,570.00	\$57,205.05	\$1,343,801.92
May, 2011	\$1,561,897.16	\$91,800.00	\$54,575.00	\$59,555.05	\$41,265.00	\$1,314,702.11

STOP Monthly Activity

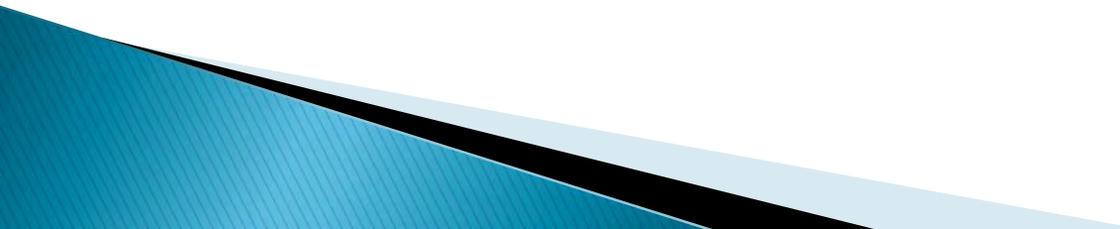
LAS CRUCES NM

PERIOD	CITATION_NUMBER	ORIGINAL_AMOUNT	ADJUST_AMOUNT	NET_AMOUNT	GROSS_AMOUNT	REDUCTIONS_AMOUNT	NET_COLLECTION	COLLECTION_RATE
FEB 09	0	0	0	0	0	0	0	0
MAR 09	216	22131	216	21915	13561	0	13561	0.62
APR 09	2530	261765	2607	259158	184662.85	0	184662.85	0.71
MAY 09	3355	349445	6956	342489	242473	0	242473	0.71
JUN 09	2954	302714	2144	300570	206388	0	206388	0.69
JUL 09	2467	246700	1500	245200	170477.5	0	170477.5	0.7
AUG 09	2342	234200	2300	231900	164490	0	164490	0.71
SEP 09	1741	174100	1800	172300	122780	0	122780	0.71
OCT 09	2043	204300	5500	198800	140425	0	140425	0.71
NOV 09	1799	179900	1200	178700	126870	0	126870	0.71
DEC 09	1830	183000	1300	181700	127130	0	127130	0.7
JAN 10	1731	173100	1600	171500	125360.95	0	125360.95	0.73
FEB 10	1371	137100	1100	136000	96487.5	0	96487.5	0.71
MAR 10	1566	156600	1900	154700	107980	0	107980	0.7
APR 10	1685	168500	2200	166300	113387.5	0	113387.5	0.68
MAY 10	1618	161800	1100	160700	109751.46	0	109751.46	0.68
JUN 10	1293	129300	1500	127800	83730	0	83730	0.66
JUL 10	1530	153000	1200	151800	102566.67	0	102566.67	0.68
AUG 10	1294	129400	700	128700	85931.2	0	85931.2	0.67
SEP 10	1257	125700	400	125300	81700	0	81700	0.65
OCT 10	1401	140100	500	139600	92575	0	92575	0.66
NOV 10	1116	111600	1200	110400	75525	0	75525	0.68
DEC 10	1202	120200	700	119500	80249.67	0	80249.67	0.67
JAN 11	1144	114400	800	113600	77250	0	77250	0.68
FEB 11	949	94900	900	94000	62670	0	62670	0.67
MAR 11	1284	128400	900	127500	84383.35	0	84383.35	0.66
APR 11	1156	115600	500	115100	75046.5	0	75046.5	0.65
MAY 11	1068	106800	200	106600	69242.5	0	69242.5	0.65
JUN 11	1125	112500	1200	111300	71830	0	71830	0.65
JUL 11	1128	112800	800	112000	68355	0	68355	0.61
AUG 11	1159	115900	1200	114700	72697	0	72697	0.63
SEP 11	1068	106800	800	106000	67875	0	67875	0.64
OCT 11	1137	113700	800	112900	70225	0	70225	0.62
NOV 11	1188	118800	1200	117600	72950	0	72950	0.62
DEC 11	1215	121500	700	120800	71650	0	71650	0.59
JAN 12	1014	101400	600	100800	61125	0	61125	0.61
FEB 12	1009	100900	1000	99900	55350	0	55350	0.55
MAR 12	994	99400	500	98900	43210	0	43210	0.44
APR 12	1049	104900	100	104800	9700	0	9700	0.09

STOP Collection Initiative

Municipal Code Section 28-10

“The City may decline, fail or cease to furnish utility service to any person who may be in debt to the City for any reason, except ad valorem taxes and special assessments.”



STOP Collection Initiative

Current collection process:

1. Match name on citation/vehicle registration to a verifiable City utility account.
2. Have Redflex recall delinquent camera enforcement account from their collection agency.
3. Issue certified mail to offender advising of option to either pay the citation(s) or make satisfactory payment arrangements with City Treasurer. (ample period of time given for this response).
4. If no satisfactory response to #3 above, execute on Section 28-10 of Municipal Code.

Additional Collections Efforts

- ▶ Redflex Traffic Systems sends delinquent violators a “default” letter with instructions on how to cure the default.
 - ▶ If no action has been taken after the default letter is sent, the violator is sent to collections.
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