

MEMORANDUM

Agenda Item No. 11(A)(14)

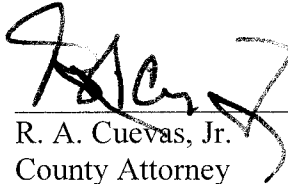
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: November 6, 2007

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the
Florida Legislature to allow
the use of unmanned cameras
at intersections with traffic
signals in an effort to reduce
red-light running

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Joe A. Martinez, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Rebeca Sosa and Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/jls




MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: November 6, 2007

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(14)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(14)
11-6-07

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ALLOW THE USE OF UNMANNED CAMERAS AT
INTERSECTIONS WITH TRAFFIC SIGNALS IN AN EFFORT
TO REDUCE RED-LIGHT RUNNING

WHEREAS, red-light running is one of the major causes of accidents, deaths and injuries at intersections with traffic signals; and

WHEREAS, recent crash statistics show that there were 206,000 red-light running accidents nationwide, with nearly 1,000 deaths and 176,000 injuries; and

WHEREAS, red-light cameras can help reduce red-light running by automatically photographing vehicles whose drivers run red lights; and

WHEREAS, studies in California and Virginia have shown that red-light cameras can reduce red-light running by approximately forty percent (40%); and

WHEREAS, the Federal Highway Administration has concluded that red-light cameras can be an effective measure to prevent red-light running and encourages the use of red-light cameras; and

WHEREAS, Florida law authorizes the use of cameras to enforce toll collections on the Florida Turnpike System; and

WHEREAS, Florida's Attorney General recently issued an opinion concluding that legislative changes to Florida law are necessary before local governments can issue traffic citations and penalize drivers who fail to obey red lights based solely on unmanned red-light cameras, see AGO 2005-4; and

WHEREAS, cameras could be used solely to photograph the license plates of vehicles that run red lights; and

WHEREAS, photographs of license plates could be used to create a rebuttable presumption that the owner of the vehicle violated traffic laws related to running red lights; and

WHEREAS, citations issued as a result of photographic evidence could be limited only to nonmoving violations, so that fines might apply, but no points would issue as a result of the violation if the citation is based on photographic evidence, similar to parking tickets; and

WHEREAS, having citations based on photographic evidence of running a red-light or blocking an intersection could nonetheless prohibit a driver from renewing license tags or a driver's license to increase enforcement; and

WHEREAS, the Governor recently expressed support for legislation that would allow local governments to use unmanned red light cameras,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to allow the limited use of cameras at intersections with traffic signals to enforce traffic infractions in an effort to reduce red-light running, provided that only nonmoving violations could be issued and the cameras only photograph license plates, but providing that license tags or drivers' licenses may not be renewed with outstanding citations of this type.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation and the implementation of the reforms set forth in section 1 and directs the Office of Intergovernmental Affairs to include this item in the 2008 State Legislative Package.

The foregoing resolution was sponsored by Commissioner Joe A. Martinez, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Rebeca Sosa and Senator Javier D. Souto. and offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of November , 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty