

## Audit Report

# Traffic Enforcement

August 2018



The City is promoting safety on city streets through programs such as targeted enforcement of dangerous driving behaviors by the Austin Police Department and having red light cameras at certain intersections. Although traffic enforcement activities fund Municipal Court, it can be an inconsistent source of funding. The focus on enforcement activities as a way to promote safety may result in less revenue for the City.

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Cover: Austin Police Department patrol units, July 2018.

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# Objective

Are City enforcement efforts effectively creating a safe mobility environment, and what impact does the level of enforcement have on other city programs and initiatives?

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# Background

In an average year, 64 people are killed and many more suffer incapacitating injuries in automobile crashes in Austin.<sup>1</sup> According to estimates, accidents cost the City \$700 million in economic and societal harm per year between 2014 and 2016.<sup>2</sup> In 2016, the City of Austin adopted a Vision Zero Action Plan with the goal of zero deaths and serious injuries on Austin roadways by 2025. The plan involves actions by multiple departments to help reach that goal. This audit focused on enforcement efforts aimed at creating a safer mobility environment in Austin.

The Austin Police Department (APD) is responsible for enforcement of traffic laws on all roadways within the City limits of Austin. In the City's fiscal year 2018 budget, APD states that the primary purpose of traffic enforcement is to reduce crashes, save lives, and facilitate the safe and efficient mobility of all road users throughout the city.

Municipal Court resolves traffic citations and red light camera violations. Municipal Court collects fines and fees from traffic citations as general fund revenue.

<sup>1</sup> Based on an analysis of 2014-2016 crashes and injuries data reported by the Texas Department of Transportation.

<sup>2</sup> This figure includes wage and productivity losses, medical expenses, legal and court costs, vehicle damages, and emergency service costs.

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# What We Found

## Summary

The City is promoting safety on city streets through programs such as targeted enforcement of dangerous driving behaviors by the Austin Police Department and having red light cameras at certain intersections. Although traffic enforcement activities fund Municipal Court, it can be an inconsistent source of funding. The focus on enforcement activities as a way to promote safety may result in less revenue for the City.

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## Finding 1

Austin Police Department officers have limited time for traffic enforcement during regular shifts. APD uses grant funding and red light cameras to supplement enforcement.

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APD reports time not spent responding to calls for service as “Percent of Community Engagement Time Available,” signaling their focus on community policing efforts.

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APD reports that traffic enforcement and safety are a top priority. Officers are assigned to specific districts within the City where they respond to calls for service, engage in community policing efforts, and enforce traffic laws. However, resource limitations appear to affect the time officers have on regular shifts for proactive traffic enforcement. Because of these resource limitations, APD relies on grant money to supplement enforcement and red light cameras to promote safety.

### Resource Limitations

During regular shifts, officers must manage competing interests of responding to calls, maintaining traffic flow, and enforcing traffic laws. Time not spent responding to calls for service can be used for various tasks, such as finishing a report, traffic enforcement, and community policing efforts.

This time is affected by the number of calls for service in an officer’s region and the number of staff available to respond to those calls. As of August 1, 2018, citywide patrol capacity was at 82% total staffing, with 84 vacancies and 52 officers on long term leave.

Additionally, APD removed almost 400 vehicles from service in July 2017 due to concerns about carbon monoxide. Although all vehicles were returned to service by July 2018, this caused officers who were normally alone in their vehicles to ride in pairs. As a result, the number of units available to conduct traffic enforcement was limited.

### Selective Traffic Enforcement Program (STEP) Grant Funding

APD uses the Selective Traffic Enforcement Program (STEP) grant, administered by the Texas Department of Transportation, to pay officers for overtime hours to increase traffic enforcement. This approximately \$1 million grant funds enforcement efforts that are focused on speeding, distracted driving, occupant protection, intersection traffic control, and impaired driving. These focus areas align with the top causes of crashes identified in the City’s Vision Zero report.<sup>3</sup>

In calendar year 2017, APD officers averaged 1,173 hours enforcement per month through the STEP grant, and issued a large percentage of the

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<sup>3</sup> The report identified improper maneuvers, inattention/distraction, speed, failure to yield, impairment, and failure to stop as the top causes of crashes.

traffic citations issued by APD. As shown in Exhibit 1 below, 54% of speed citations, 62% of safety belt citations, 20% of Child Safety Seat citations, 45% of intersection control citations, and 48% of distracted driving citations were issued by APD officers funded through the STEP grant.

**Exhibit 1: STEP citations as a percentage of all citations issued in 2017**



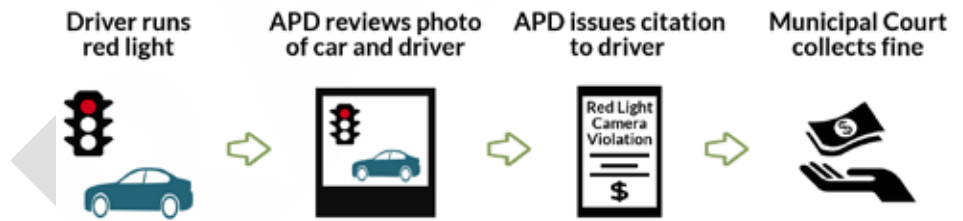
SOURCE: OCA analysis of STEP performance measures for 2017, April 2018.

**Red Light Camera Program**

There are currently ten red light cameras located at nine intersections throughout the City, and multiple City departments are involved in the program. Austin Transportation Department recommended camera locations after studying red light crashes in 2006 and 2007. The program is funded and administered by the Austin Municipal Court and APD staff review photos and issue citations. These citations are resolved through the Municipal Court. The citation process is described in Exhibit 2.

In the year prior to activation, the nine intersections had 145 crashes, and the intersections averaged less than 50 per year crashes between January 1, 2014 and December 31, 2016.

**Exhibit 2: Red Light Camera Program Process**



SOURCE: OCA analysis of Red Light Camera Program process, June 2018.

Red light cameras appear to have been successful at reducing the number of crashes at intersections. In the year prior to activation, the nine intersections had 145 crashes, and the intersections averaged less than 50 crashes per year between January 1, 2014 and December 31, 2016.<sup>4</sup>

Four of the intersections with cameras have had fewer than six crashes per year since 2014. A 2016 agreement between the camera vendor and the City called for two of these cameras to be relocated. However, they had not been moved at the time of this audit.

For the past three years, about 90% of the gross revenue from red light camera citations went to funding the operation and administration of the cameras. The State collects 50% of the remaining revenue and Municipal Court transfers the other half to the Public Works Transportation Capital Improvement Program to be used for traffic safety improvements. Since the start of fiscal year 2014, the red light camera program has generated approximately \$170,000 in revenue for the Transportation Capital Improvement Program.

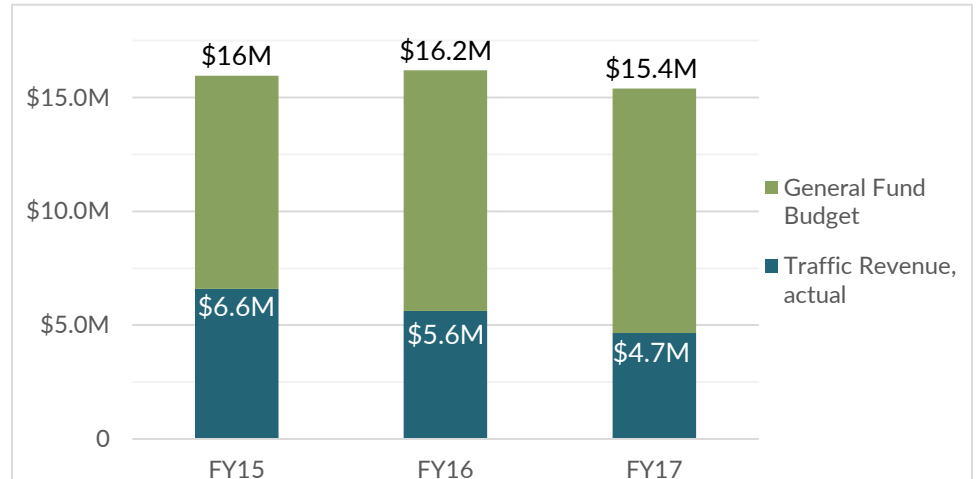
<sup>4</sup> Preactivation data was for 18 months and was adjusted to be data for one year.

## Finding 2

Although revenue from citations partially funds Municipal Court, it can be an inconsistent source of funding.

Municipal Court operations are partially funded with revenue from citations. While Municipal Court's budget has remained relatively constant over the last three years, citation revenue has decreased each year. As shown in Exhibit 3, Municipal Court's budget ranged from \$16.2 million to \$15.4 million since fiscal year 2015. Since that year, citation revenue has fallen from \$6.6 million to \$4.7 million.

**Exhibit 3: Municipal Court General Fund Budget and Traffic Revenue, FY2015-FY2017**



SOURCE: OCA analysis of Austin Municipal Court revenue from traffic fines, May 2018.

### Hands-Free First Offense Deferral Program

Through a program operated by the City Prosecutor's Office, individuals that receive a hands-free citation for the first time are eligible for dismissal of the charge and a reduction in the court fee with proof of purchase of a hand's free device for their vehicle.

For citations issued in fiscal year 2015 to fiscal year 2017, 27% of drivers received a deferral by purchase of a hands-free device.

Staff with both APD and Municipal Court stressed that the purpose of traffic enforcement is to promote safety on City streets, not to generate revenue for the City. This focus results in actions that reduce the amount of revenue that may be collected each year, but creates potentially safer roads. For example, APD policy advises officers to issue a citation for defective headlights or tail-lights only if there is evidence of willful neglect or the driver has multiple warnings. Although a warning would not result in revenue for the City, it may result in the driver fixing their lights, resulting in safer roads. In 2017, 25% of traffic stops resulted in a warning for the driver.

Additionally, drivers who are issued a citation have several options other than payment. Many of these options promote a safer mobility environment, such as taking a driver's safety course, fixing broken lights, or purchasing a hand's free device. For citations issued between fiscal year 2015 and fiscal year 2017, 5% of drivers completed a driver safety course and 29% of citations were dismissed after the driver demonstrated compliance.<sup>5</sup>

<sup>5</sup> 19,573 citations were dismissed through driver's safety and 112,880 citations were dismissed through compliance dismissal.

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## Recommendations and Management Response

- 1 | Municipal Court should work with relevant stakeholders to evaluate current intersection crash data to determine if current red light cameras should be moved or new cameras added.

**Management Response:** Agree

**Proposed Implementation Plan:** Austin Municipal Court (AMC) met with stakeholders from Austin Police Department (APD) on April 27, 2018 to discuss the relocation of two current camera at red light (CARL) locations and to identify possible new locations. The current contract allows for 15 cameras; however, only 10 cameras have been implemented. At that meeting, APD provided statistics on intersections that they believe should be photo enforced. Since then, AMC has gathered statistics on the violations at the current CARL locations and on all of the violations that have been written for "Running a Red Light" (not photo enforced) for the last five fiscal years.

Stakeholders from AMC, APD, and Austin Transportation Department (ATD) met again on Friday, July 13, 2018 to review the statistics and determine appropriate locations. The next steps include APD submitting their recommended locations for new camera placements (5), revising a memorandum of understanding with the vendor to relocate two cameras, and updating the contract for the addition of five new locations. This will involve traffic-engineering studies and mutual maintenance agreements with Texas Department of Transportation (TxDOT) before the relocation and new locations can be implemented.

**Proposed Implementation Date:** July 2018

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## Scope

City activities related to traffic enforcement between fiscal year 2015 and fiscal year 2017.

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## Methodology

To accomplish our audit objectives, we performed the following steps:

- interviewed Austin Police Department and Austin Municipal Court staff;
- analyzed crash and ticket data from intersections with red light cameras;
- reviewed expenses and revenue from red light camera program;
- reviewed Austin Police Department staffing reports;
- analyzed Austin Police Department uncommitted time data;
- reviewed Austin Police Department training related to traffic enforcement;
- evaluated risks related to fraud, waste, and abuse with regard to City enforcement efforts;
- observed Austin Police Department Motors and patrol activities;
- observed Austin Police Department hands-free operation;
- reviewed the City of Austin 2016-2018 Vision Zero Action Plan;
- reviewed grant applications and performance reports for Austin Police Department traffic enforcement grants; and
- evaluated internal controls related to traffic enforcement.

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## Audit Standards

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The Office of the City Auditor was created by the Austin City Charter as an independent office reporting to City Council to help establish accountability and improve City services. We conduct performance audits to review aspects of a City service or program and provide recommendations for improvement.

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