

## Commentary on PAC Recommendations for Improved Traffic Enforcement

Submitted by:

J. Richard Kuzmyak  
Transportation Consultant, LLC



The following are select thoughts and recommendations in response to the PAC report on traffic enforcement and ways to improve enforcement while addressing issues of cost, effectiveness in terms of actual safety outcomes, and reducing concerns about profiling and disproportionate impacts on minority drivers.

To add some legitimacy to my comments, I would note that I am a life-long transportation planner and researcher with a national resume, a resident of Montgomery County since 1985, and an affiliate of the University of Maryland's National Center for Smart Growth, for whom I recently served as lead transportation analyst in a \$2m study of TOD challenges and opportunities for the Purple Line funded by the Federal Transit Administration. The relationship between insufficiently managed vehicle activity and pedestrian safety was made highly obvious in that study and its recommendations (<https://www.umdsmartgrowth.org/projects/purple-line-fta-mta-tod-planning-grant/>) as well as in my own immediate experience as a pedestrian and cyclist in the down county.

I think the following are important points to share:

1. Speeding traffic is a major threat to safe travel by pedestrians and cyclists. Data clearly show that the likelihood of a serious or fatal injury goes up rapidly as speeds exceed 25 mph, and even more so if the person is >70 years old (myself) or if the vehicle is an SUV/van/light truck.
2. A serious equity concern is that people of limited means and minorities are much more likely to be exposed to speeding traffic because they have to walk to reach essential services or to take transit.
3. Conditions along principal arterials, such as Connecticut Ave., Georgia Ave., University Blvd., East-West Highway, Old Georgetown Rd., etc. are among the most severe and threatening for walking or biking; speed limits are routinely exceeded, sidewalks or bike lanes are missing, narrow or inadequate, there are long distances between signalized crossings, and design of intersections (channelized right turns, right turn on red, large radius curbing with setback crosswalks) give vehicles an enormous advantage over pedestrians. Pedestrians and cyclists will not use those modes of travel if they feel unsafe, nor will transit be effective if it is difficult and dangerous to access.
4. Signal crossing buttons almost never provide any reduction in wait time for peds or cyclists, encouraging many to tire of waiting and take the chance of bolting across 6+ lanes of traffic.
5. It is acknowledged that trying to enforce safe driving behavior through physical police patrolling is an exercise in futility. The design of our streets and roads encourages speeding and ignoring of traffic controls, and there simply aren't enough physical police resources to adequately patrol and enforce responsible/safe driving. *Moreover, when police are involved directly in a traffic*

*stop, the question of fairness, profiling and violation of broader rights will always loom as an issue.*

6. Automated traffic enforcement (ATE) offers a much more effective and less contentious way of achieving greater adherence to traffic laws, and most importantly, improving safety. It makes little sense to set a speed limit of 30 mph on upper Connecticut Ave. or on Georgia Ave. and not accompany it with effective enforcement. Posting signs that warn about (Photo Enforced) or (Fines Doubled) have little observable effect on the rank-and-file drivers on those facilities if there is no evidence that those controls are actually in effect.
7. The problem is that there are far too few speed or red light cameras in operation. The county and OPO claim to be favorable to ATE solutions, but also that the major limiting factor has been the state DOT, which has jurisdiction over many of the arterial roadways that are also numbered state routes. Cameras are prohibited on facilities in commercial areas or where the posted speeds are less than 35 mph. And where speed cameras are active, the policy is to not issue a citation unless the driver is going more than 12 mph over the limit – at 47 mph, the survival rate of a pedestrian would be essentially zero.
8. Portable cameras in “speed management corridors” like Seminary Road are of particularly questionable value as an enforcement strategy. The mechanism is a white van that parks along the street during primary daylight hours for about week, and a highly infrequent random basis. Motorist quickly deduce that the van/camera is in place and reduce their speed diligently within 100’ of the van, then resume their preferred speed. Few violations occur after the first day or two, and those who are cited must be going at least 12 mph over the limit, i.e., 47 mph on Seminary Road. How can this strategy possibly be (cost) effective?
9. Serious speed and traffic control violations also exist at the collector and local street level. Linden Lane in Forest Glen is a striking example. Cars use Linden Lane as a backdoor alternative to the Beltway, and routinely travel at and above 35 mph, despite the posted 25. The only stop sign within a mile of the central Linden Lane/Woodstock Ave. intersection is routinely ignored. Yet there is no police presence because (1) 85% of vehicles are driving within 10 mph of the posted speed, and (2) the district 2 MCPD views it as too minimal to bother with.
10. One must seriously question the wisdom of the 85<sup>th</sup> percentile rule for gauging safety, as it suggests that if 15% of the vehicles are traveling at more than 10 MPH over the limit are an acceptable safety risk – how and why? Harder to understand that the logic of allowing a 10 mph over the limit buffer on a 55 mph highway (with no pedestrians) would make sense on a local street posted at 25. The impact of that simple rule of thumb carries much graver consequences in neighborhoods and built-up areas.

In consideration of the above, my professional recommendations are:

- a. To the maximum and quickest extent possible, replace in-person policing of moving traffic violations with ATE technology.
- b. Eliminate periodic camera patrols by van, and replace with full time ATE.
- c. Get rid of the 12 mph grace rule on urban streets and at least issue warning citations to establish the rules, and report statistics on how this is working
- d. Make the damn intersection crossing buttons at intersections actually work!!!

- e. Investigate latest developments in ATE technology that has greatly reduced the cost of camera networks; University of Maryland Smart Cities has been pilot testing these in the Washington region.