



District Department of Transportation

**Public Roundtable on the  
Office of the Inspector General's  
Report of Special Evaluation on Parking and  
Automated Traffic Enforcement Tickets**

**Testimony of  
Matthew T. Brown, Director  
District Department of Transportation**

**Before the  
Committee on Transportation and the Environment  
Councilmember Mary M. Cheh, Chairperson  
and  
Committee on Finance and Revenue  
Councilmember Jack Evans, Chairperson**

**Wednesday, September 24, 2014, 11:00 a.m.  
John A. Wilson Building, Room 412**



Good morning Chairperson Cheh, members of the committee, and District residents. My name is Matthew T. Brown, and I am the Director of the District Department of Transportation, commonly referred to as DDOT. I am here today to provide testimony on the Inspector General's recent special evaluation of the District's automated traffic enforcement (ATE) and parking ticket programs.

The Inspector General's report reviewed the District's parking and ATE ticketing and practices making recommendations for DDOT, the Metropolitan Police Department (MPD), the Department of Public Works (DPW), and the Council of the District of Columbia.

The OIG's recommendations included:

- Greater justification and analysis before the deployment of ATE devices;
- Improved training for traffic and parking enforcement personnel;
- Increased transparency on parking ticket issuance, specifically requiring photographic evidence; and
- Increased transparency of Parkmobile transaction fees/complaints.

My testimony provides DDOT's responses to the OIG recommendations.

### **Automated Traffic Enforcement**

In August 2014, DDOT submitted a joint response with MPD to the OIG's report. In our response, we explained that in the past decade, while the District's population has increased by 13 percent, fatalities resulting from traffic collisions have plummeted by more than 70 percent and injuries have dropped by one-third. The District's growing population is bringing more cars into the city, as well as increasing the reliance on travel by foot, bicycle, and other modes of transportation. Since the District began deployment

of ATE devices, there have been far fewer collision-related fatalities and injuries, speed-related collisions are on clear downward trend in the past three years.

As it was stated in our response, the OIG report fundamentally misunderstands the purpose of the ATE program and traffic safety enforcement in general. The goal is not to reduce traffic violations at a single location or time of day; the goal is to modify driver behavior throughout the District so that pedestrians, bicyclists, and other motorists are safer while using roadways.

Not only does the OIG report question the credibility and intent of the ATE program in general but it also dismisses the findings of the *2014 Speed Limit and Safety Nexus Studies for Automated Speed Enforcement for the District of Columbia (Safety Nexus Study)* and recommends further analysis of the study.

The Safety Nexus Study was mandated by Section 9029 of the FY 2014 Budget Support Act of 2013. It required DDOT and MPD to conduct a joint report that analyzed speed camera locations' nexus with safety. The report, completed in January of 2014, can be found on the DDOT website ([www.ddot.dc.gov](http://www.ddot.dc.gov)) and hard copies can be found in every public library in the District of Columbia.

The Safety Nexus Study is a comprehensive technical report that identified factors between existing, proposed, and planned ATE locations and ensuring traffic safety.<sup>1</sup> The report was created by traffic safety professionals utilizing recognized traffic safety metrics and standards, including the Federal Highway Administration (FHWA) Manual on Uniform Traffic Devices; American Association of State Highway and Transportation Officials (AASHTO) Green Book; the Transportation Research Board / FHWA Highway

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<sup>1</sup> The Report is available on the DDOT website at <http://ddot.dc.gov/node/766092>.

Capacity Manual; the Institute of Transportation Engineers Standards and Guidance Documents; and the AASHTO Highway Safety Manual.

While the Safety Nexus Study incorporated vehicular speed as a factor in its determination of whether to place an ATE camera at a location, it was and is not the sole factor in making traffic safety determinations which the Inspector General's report fails to understand. Instead, the study conducted a comprehensive review of speed data, accident data, injuries and fatalities resulting from collisions, speed-related crashes, site characteristics, bicycle and pedestrian traffic generators, and overall traffic operations.

While the OIG Report accurately understands the safety risks associated with vehicle speed. The report overvalues the role of the 85<sup>th</sup> percentile speed analysis, in the placement of ATEs. For instance the OIG Report states:

“Other information in some of the site-specific reports, however, did little to justify the need for automated speed violation enforcement. Take, for example, the proposed speed camera location at 4800 Texas Ave., S.E. The speeds of approximately 3,200 vehicles were observed over a 24-hour period. The average speed of these vehicles was 12 mph; 85% of the vehicles observed were travelling 17 mph or slower. Only 1 vehicle exceeded 25 mph. The study, an excerpt of which is found at Appendix 4, also indicates that the site averaged two injury-related accidents per year from 2010-2012, which it considered an “elevated number.”

The OIG comments regarding this site and others throughout the report are critical of the use of non-speed related justifications for ATE placement. The comments consistently fail to recognize that there are numerous variables that are associated with ATE placement. To discount six injury-related accidents over the course of a three-year period demonstrates the Report's basic misunderstanding of whether a location merits a traffic safety device.

The DDOT/MPD response addressed the Inspector General's site-specific concerns; however, in the final report no changes were made to the OIG's comments which support our belief that the report misinterprets the intent and application of the ATE program.

### **Parking Enforcement**

As it pertains to parking enforcement, the OIG Report identified the need for DDOT to update and upgrade its training materials and policies for Traffic Control Officers (TCOs). Although DDOT's current training manual and training program address all aspects of ticketing writing, including the scenarios highlighted in the Report — such as photographing of violating vehicles; writing a ticket for vehicle parked at broken meter; and documenting a violation after a motorist drives away — an update of the TCO Training Manual and Standard Operating Procedures (SOP) has been initiated by DDOT to provide a higher degree of standardization of procedures. This initiative was started on May 30, 2014, and will be completed by late January 2015.

The OIG Report recommends that photographs be required for each parking ticket issued. Currently, each TCO is trained on how to take appropriate pictures in conjunction with writing tickets, and DDOT is currently working on updating TCO SOPs and training manual to address this issue. However, it needs to be stated that the parking photographic evidence program was not intended to change the evidentiary requirements for establishing a prima facie case of a parking violation. The OIG Report states that “[v]iolation images are the only assurance a motorist has that his or her ticket was correctly issued.” However, the ticket itself provides adequate details regarding the elements of the violation. In addition, a ticketed motorist should be able to determine without photographs whether or not he or she violated a parking regulation because the ticket is placed on his or her vehicle, with the details of the violation, and he or she can then clearly see whether the citation is accurate. As far as we are aware, there is no

jurisdiction in the country that requires parking officers to take pictures as part of the ticketing process.

### **Parkmobile**

Lastly the OIG Report recommends that DDOT closely monitor transaction fees paid to Parkmobile and more comprehensively track complaints about Parkmobile. Prior to the release of the final report, DDOT coordinated with the Office of the Chief Financial Officer to establish a transaction fee reporting schedule to provide greater transparency to the process. Under this process, revenue deposit statements will be automatically delivered from Parkmobile's merchant of record, and on a monthly basis, the merchant of record will be required to deliver a reconciliation report verifying that all associated transaction fees from Parkmobile meter payment services match daily deposit totals. The OCFO has also assigned an accounting officer to monitor Parkmobile's reporting and will advise DDOT on activities and discrepancies. In addition, with respect to more comprehensively tracking complaints against Parkmobile, DDOT will coordinate with Parkmobile and the District's customer service divisions to develop a schedule and procedure for documenting all complaints.

Thank you for the opportunity to provide testimony. My staff and I are available to answer any questions that you may have.