

WASHINGTON
Traffic Safety
COMMISSION

Washington State's School Zone Safety Account: A Report to the Legislature

Prepared for

The Transportation Committees of the Washington State Legislature

Submitted by

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Table of Contents

Table of Contents	i
Introduction.....	1
Background.....	2
Methodology.....	5
Findings.....	6
Traffic Enforcement.....	6
Driver Behavior	8
Automated Traffic Safety Camera Revenue	9
Amended Charges.....	10
Recommendations.....	12
Appendix A – School Zone Safety Account Revenue Report.....	13
Appendix B – 2014 Law Enforcement Officer Survey Results.....	14
Appendix C – References	16

Introduction

This report is submitted in fulfillment of provisions established under [2ESHB 1299 Section 201](#). Specifically, the Washington State Legislature directed the Washington Traffic Safety Commission (WTSC) to, “examine declining revenue going to the school zone safety account with the goal of identifying factors contributing to the decline.” The provision required the WTSC to “provide a report to the transportation committees of the legislature that summarizes its findings and provides recommendations designed to ensure that the account is receiving all amounts that should be deposited into the account.”

The following report examines a number of factors related to the on-going decline in revenue in the school zone safety account. These factors and the accompanying recommendations provide a high level overview. The WTSC will provide additional research on any one factor should the legislature find it helpful in their review and analysis.

Background

In 1996, the School Zone Safety Account (SZS Account) was established under provisions of [RCW 46.61.440](#), *Maximum speed limit when passing school or playground crosswalks — Penalty, disposition of proceeds*. Section five states:

(5) The School Zone Safety Account (SZS Account) is created in the custody of the state treasurer. Fifty percent of the moneys collected under subsection (3) of this section and the moneys collected under [RCW 46.61.235\(5\)](#), [46.61.245\(2\)](#), or [46.61.261\(2\)](#) shall be deposited into the account.

School zone fines can be generated in two ways. Either a ticket is written by a law enforcement officer, or the ticket is issued via an automated traffic safety camera. Section three of [RCW 46.61.440](#) establishes that in the case of infractions issued by law enforcement officers, fifty percent of the monetary penalty is deposited into the SZS Account.

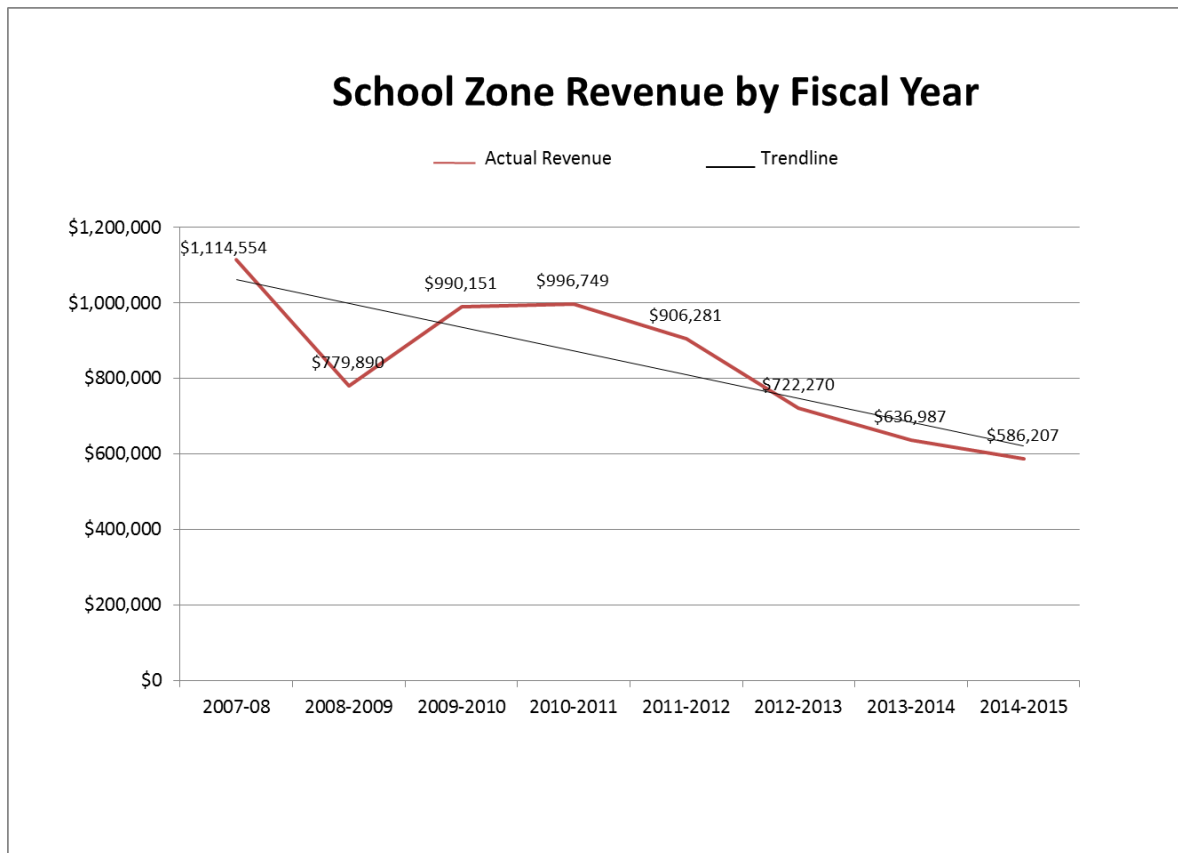
(3) A person found to have committed any infraction relating to speed restrictions within a school or playground speed zone shall be assessed a monetary penalty equal to twice the penalty assessed under [RCW 46.63.110](#). This penalty may not be waived, reduced, or suspended.

According to the Administrative Office of the Courts (AOC), as of September 2, 2015, a fine for speeding in a school zone ranges from \$214 for 1 to 5 miles per hour (MPH) over the posted speed limit to \$808 for 36 + MPH over the posted limit.

Infractions for speeding in school zones issued via automated traffic safety cameras are governed by a separate statute. In 2009, [RCW 46.63.170](#), Automated Traffic Safety Cameras, authorized local jurisdictions to create ordinances to allow the use of automated traffic safety cameras in school zones. Section two states that fines generated by automated traffic safety cameras “shall be processed in the same manner as parking infractions.” The section continues by directing that the “amount of the fine issued for an infraction generated through the use of an automated traffic safety camera shall not exceed the amount of a fine issued for parking infractions within the jurisdiction.” The result of the differing statutes is that fines from automated traffic safety cameras are not assessed at twice the penalty, nor is any portion of the fine deposited into the SZS account.

Revenue in the SZS Account has been on the decline for the previous three biennia. Account receipts for the first several months of the 2015-17 biennium indicate this trend will continue. Figure 1 charts the annual revenue in the SZS Account 2007 to 2015. Appendix A provides a more detailed monthly accounting of the SZS Account.

Figure 1



Currently, WTSC utilizes funds in the SZS Account to award grants to law enforcement and schools. These grant programs include:

- Public, private, and tribal elementary and middle schools within the state of Washington are eligible for grants to fund training materials, equipment, and supplies for school zone crossing guards. Allowable equipment includes flags, cones, signs, whistles, vests, raincoats, radios, gloves, and hats.
- Law enforcement agencies writing school zone tickets under [RCW 46.61.440](#) are eligible for grants for police equipment used to enforce school zone traffic laws. Items approved for funding include Radars, LIDARs, and heavy weather gear for motorcycle enforcement officers.

In previous years when SZS Account revenues supported such expenditures, the WTSC funded grants to schools for the acquisition and installation of school zone flashing beacons. As with school crossing guard equipment, the notice of funding availability was announced using email lists obtained from the Office of the Superintendent of Public Instruction (OSPI), enhanced by a list of schools that had previously applied for past grants. Under this program, schools were awarded \$7,500 per school zone to cover the acquisition costs for two flashing beacons to

demarcate each zone. Schools and school districts either handled installation themselves or coordinated with the municipal or county public works department for installation.

[RCW 46.61.440 \(4\)](#) provides general guidance regarding school zone signage:

School districts may erect signs that comply with the uniform state standards adopted and designated by the department of transportation under [RCW 47.36.030](#), informing motorists of the increased monetary penalties...

The four types of allowed signage are defined in [WAC 392-151-035](#):

1. Specific times of day (e.g., 8:30AM to 5:30PM).
2. “When children are present.”
3. “When flagged” (requires school personnel place flags in holders on the sign).
4. “When flashing” (requires flashing lights equipment).

The decision to fund school zone flashing beacons was based on state and national research showing their effectiveness. A Washington State study found that speeds in school zones with flashing beacons were on average five to seven MPH slower when compared to other signing configurations (see Appendix C – Saibel, Salzberg, Doane, & Moffat, 1999). The results also revealed that “when flashing” signage was more effective, matching feedback from law enforcement and the public indicating “when flashing” is the clearest message to motorists. A more recent large-scale study conducted by the Texas Department of Transportation in partnership with Texas A&M University validated prior research showing the effectiveness of signing configurations that include flashing beacons (see Appendix C – Fitzpatrick, Brewer, Obeng-Boampong, Park, & Trout, 2009).

Methodology

To investigate factors contributing to the decline in revenue, the WTSC utilized several online resources as well as personal interviews and email correspondence with subject matter experts. In addition, an online survey of law enforcement officers conducted in June 2014 provided key contextual information for this report. Approximately 450 law enforcement officers responded to three questions:

1. Do you write citations for speeding offenders in school zones?
2. Do you feel continuous enforcement has decreased speeding in school zones compared to five years ago?
3. Do you feel there are fewer offenders speeding in school zones than in the past?

Appendix B shows the results of the June 2014 law enforcement officer survey.

The following online resources were consulted in the creation of this report:

- [Washington State Legislature](#)
 - [Laws and Agency Rules](#)
- [Municipal Research and Services Center of Washington](#)
- [Washington Courts](#)
- [Washington Association of Sheriffs and Police Chiefs](#)
- [Department of Justice – Bureau of Justice Statistics](#)
- [National Committee on Uniform Traffic Laws and Ordinances](#)
- [National Highway Traffic Safety Administration](#)
- [City of Seattle - Enforcement](#)
- [American Traffic Solutions – Our Customers](#)

Appendix C provides additional sources of information utilized in the creation of this report.

Findings

1. Traffic Enforcement

Traffic enforcement in general is on the decline.

Personal interviews conducted by the WTSC with law enforcement personnel indicated that active traffic enforcement is at its lowest point in recent history. The fiscal pressures of the Great Recession contributed to a significant reduction in traffic units throughout the state. The result has been fewer officers dedicated to traffic enforcement. In the absence of dedicated traffic units, general enforcement officers within an agency are expected to integrate traffic enforcement into their daily policing efforts. Consequently, active traffic enforcement is diminished as these officers respond to routine patrol and policing duties.

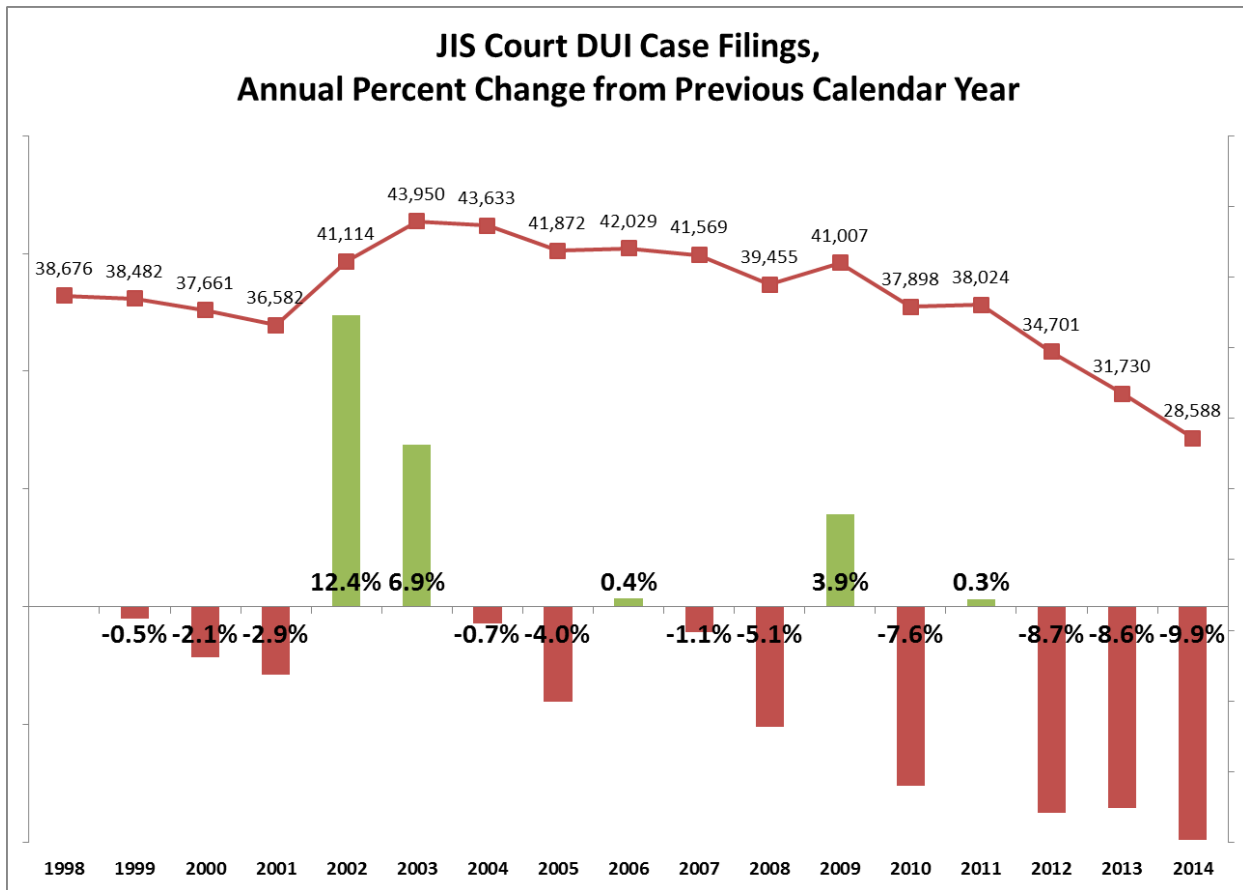
As an example of recent reductions, members of the Spokane County Target Zero® Task Force reported the following:

- City of Spokane traffic unit was cut from 16 to four officers.
- Spokane Valley traffic unit was cut in half, from eight to four officers.
- Other attendees reported similar experiences among other law enforcement agencies in Spokane County.

Although no systematic study of the state of traffic enforcement in Washington has been conducted, the trend of reductions to traffic units extends beyond agencies in Spokane County. An article published by Patty Hastings of *The Columbian* newspaper indicated that in 2003, the Vancouver Police Department (VPD) operated a traffic unit consisting of 14 officers. As of the publication of the article in *The Columbian* in February 2015, the VPD traffic unit had been cut to four officers (see Appendix C – Hastings, 2015).

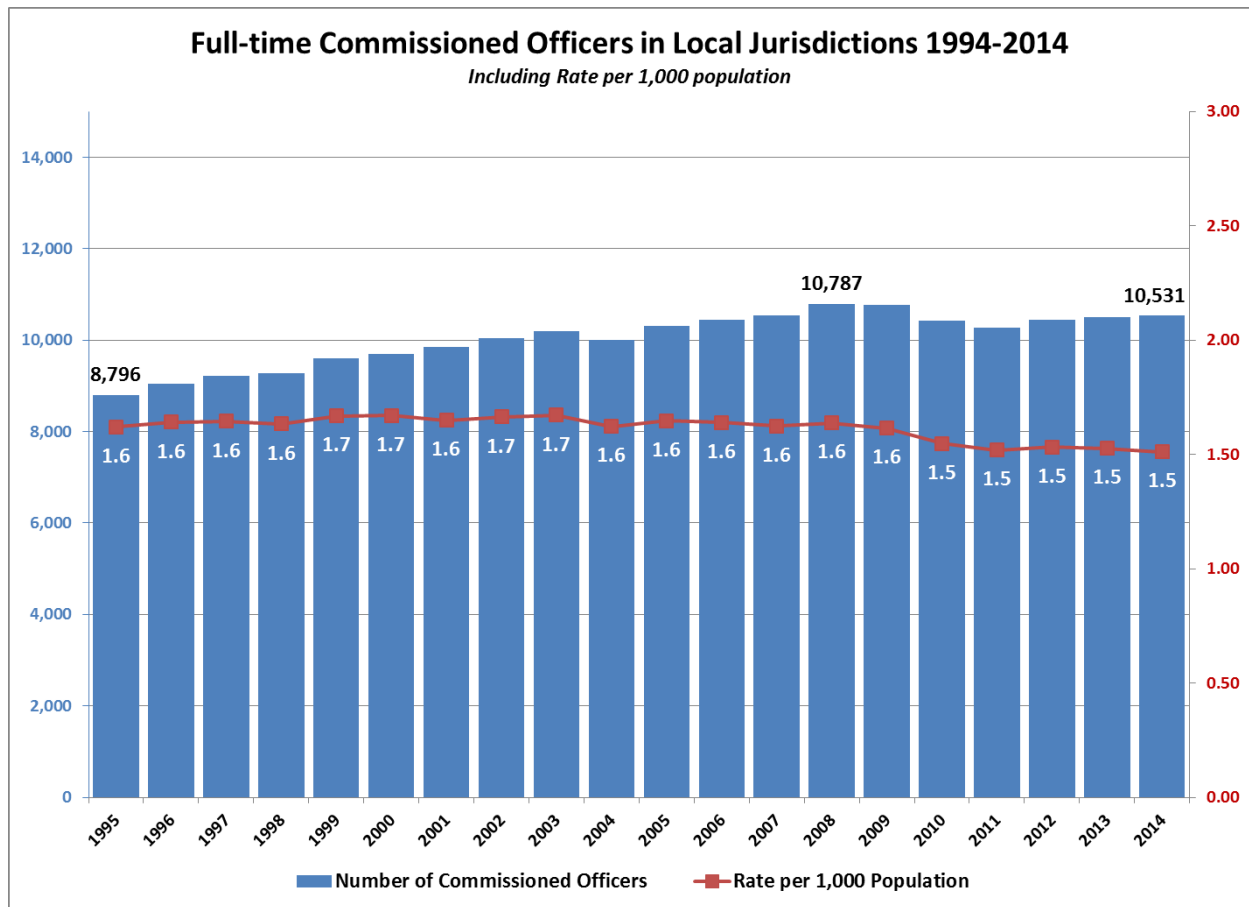
In addition to evidence gathered by law enforcement officers and local media sources, other data indicate a decline in traffic enforcement. A study completed by the Bureau of Justice Statistics (BJS) pointed to a declining trend in traffic enforcement nationally. The report showed that in 2008, 56 percent of all interactions between the public and police officers occurred during traffic stops. In 2011, that number had dropped to 49 percent (see Appendix C – Langhton & Durose, 2013). In a similar trend, data from the AOC shows that DUI case filings are on the decline. Figure 2 illustrates how DUI arrests have been decreasing nearly 10% per year for the past three years (see Appendix C – Administrative Office of the Courts, 2014). National data from BJS along with Washington State data from AOC indicate a decline in citizen contacts resulting from traffic stops, likely attributable in part to less overall traffic interdiction by law enforcement.

Figure 2



On a larger scale, statewide data reveals a decline in both the total number of law enforcement officers in Washington as well as the rate of officers per 1,000 Washingtonians. Figure 3 charts data from the Washington Association of Sheriffs and Police Chief’s (WASPC) showing a gradual decline in both total numbers of commissioned officers in the state as well as the rate of full-time commissioned officers per 1,000 citizens.

Figure 3



The general decline in traffic enforcement is likely a major contributor to the declining revenue going to the school zone safety account. However, other factors appear to be at play, including fewer drivers speeding in school zones, increased use of automated traffic safety cameras, and amended charges during adjudication.

2. Driver Behavior

Fewer drivers appear to be speeding in school zones. School zone flashing beacons and automated traffic safety cameras are contributing to safer driving behaviors in school zones.

Law enforcement officers who responded to the June 2014 survey on school zone enforcement indicated a belief that fewer drivers are speeding in school zones (see Appendix B – 2014 Law Enforcement Officer Survey Results). Among respondents, 52 percent believe there are fewer drivers speeding in school zones. Additionally, 76 percent believe that continuous enforcement has decreased speeding in school zones compared to five years ago. Thus, according to officers

who regularly observe driver behavior in school zones, drivers are speeding less frequently than in the past.

The installation of school zone flashing beacons to demarcate school zones has contributed to slower speeds. Since the inception of the SZS Account, the WTSC has provided grants to 443 schools establishing 524 school zones with flashing beacons. Due to the account's declining revenue, the last round of grants offered to schools and school districts for the installation of school zone flashing beacons occurred in 2013. Among a total of 42 school zones for which speeds were recorded before and after installation for the 2013 grants, the average speed reduction was approximately 7 MPH. These results are not uncommon and are the primary reason school zone flashing beacons are a recommended strategy by the Federal Highway Administration (see Appendix C – Federal Highway Administration, 2015).

Automated traffic safety cameras in school zones have also helped reduce the frequency of speeding in school zones. The benefits of automated traffic enforcement are well documented (see Appendix C – Li, Graham, & Majumdar, 2013; Thomas, Srinivasan, Decina, & Staplin, 2009). In Washington State, the City of Seattle has the most comprehensive history of using automated traffic safety cameras in school zones. According to a report prepared by American Traffic Solutions, Inc. (ATS), the camera provider for the City of Seattle, 90 percent of all drivers who have received a school zone speeding infraction since the installation of the cameras have not reoffended (see Appendix C – American Traffic Solutions, 2015). Research studies and the Seattle experience alike indicate that the use of automated traffic safety cameras contributes to safer driving behaviors, in particular reduced speeds.

3. Automated Traffic Safety Camera Revenue

Washington has experienced a significant increase in the use of automated traffic safety cameras in school zones from which no revenues are deposited into the SZS Account.

As noted in the Background section, the statutes governing school zone speeding infractions issued by law enforcement officers and those issued by automated traffic safety cameras differ. Fines from infractions issued by automated traffic safety cameras are not assessed at twice the regular penalty, nor is any portion of the fine deposited into the SZS account. The impact of this issue is likely significant in relation to the declining revenue in the SZS Account.

According to the Municipal Research and Services Center (MRSC), at least 24 Washington cities have municipal codes governing automated traffic safety cameras in school zones. In spite of the absence of a single, centralized source of information on the number and location of school zone cameras statewide, information from camera providers and local media provide a picture of the extent of use in Washington. Redflex Traffic Solutions, one of two primary camera providers in the state, reported 11 school zones in four cities that use automated traffic safety cameras: Fife (4), Lakewood (2), Moses Lake (2), and Tacoma (3). ATS, the other primary provider, reports

through its website that speed enforcement cameras are in use in 10 Washington cities. An article by KIRO TV from September 10, 2015 (see Appendix C – KIRO TV, 2015), listed the number of school zones for the 10 cities reported on the ATS website:

<i>Municipality</i>	<i>Number of Known Locations</i>
Bellevue	3
Federal Way	3
Issaquah	4
Longview	6
Des Moines	3
Kent	4
Lake Forest Park	2
Lynnwood	2
Renton	5
Seattle	14
TOTAL	46

The gradual proliferation of cameras by local jurisdictions since 2009, when school zone cameras were first authorized, has contributed to the gradual decline in SZS Account revenue. While additional research would be required to more definitively document the dates of installation of school zone cameras throughout the state, the adoption rate by the City of Seattle illustrates the general timeline of installation since 2009.

<i>Year</i>	<i>Number of School Zones with Automated Traffic Safety Cameras</i>
2010	1
2011	-
2012	6
2013	-
2014	9
2015	11
TOTAL	27

4. Amended Charges

Some evidence indicates that school zone speeding infractions are at times amended during adjudication.

Personal interviews with law enforcement indicated that amending school zone speeding infractions may be an issue. While [RCW 46.41.440 \(3\)](#) is clear about not waiving, reducing, or suspending the penalty, amending the charge is not specifically addressed:

A person found to have committed any infraction relating to speed restrictions within a school or playground speed zone shall be assessed a monetary penalty equal to twice the penalty assessed under [RCW 46.63.110](#). This penalty may not be waived, reduced, or suspended.

According to the AOC, 152,107 cases have been filed with the court that had at least one [RCW 46.61.440](#) charge since 1996. The database does not track in what way a case is amended, but of those 152,107 cases, 6,044 were amended, representing approximately four percent (see Appendix C – Administrative Office of the Courts, 2015). While the issue of amended charges may have some influence on the decline of revenue in the SZS Account, the impact is less consequential.

Recommendations

As outlined in [2ESHB 1299 Section 201](#), the Washington State Legislature directed the WTSC to provide any recommendations resulting from the agency’s analysis of declining revenue in the SZS Account to “ensure that the account is receiving all amounts that should be deposited into the account.”

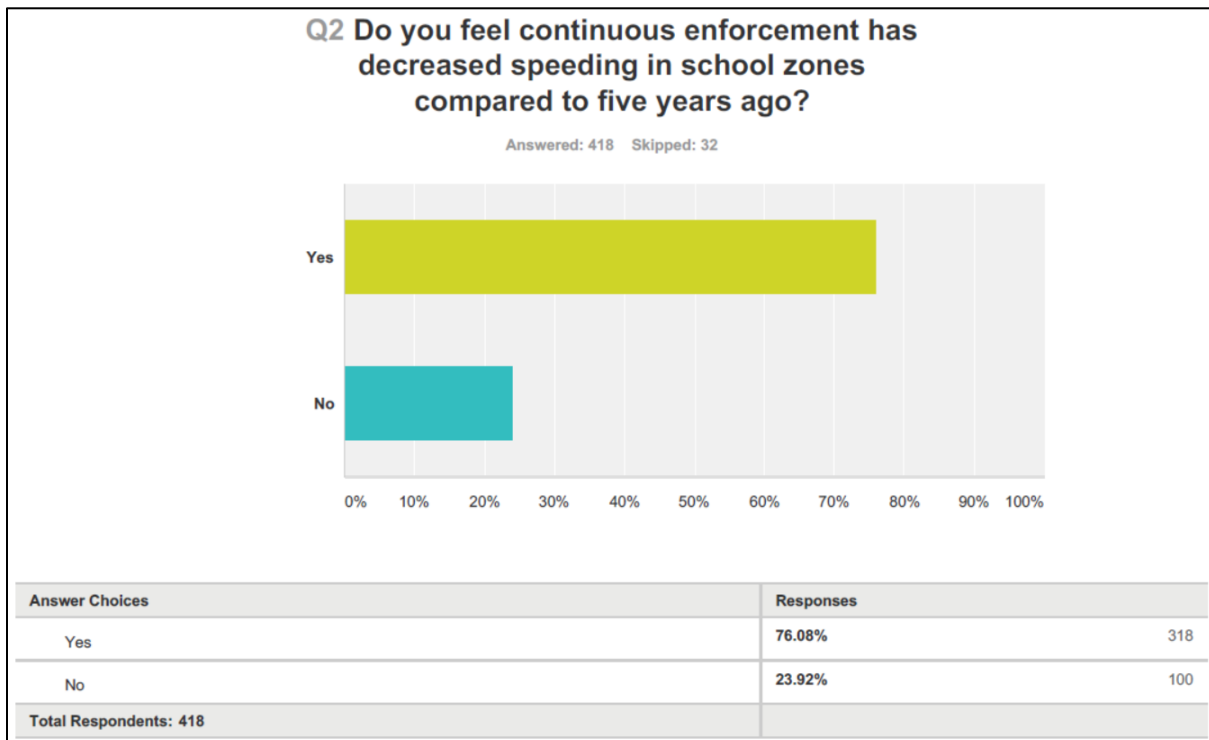
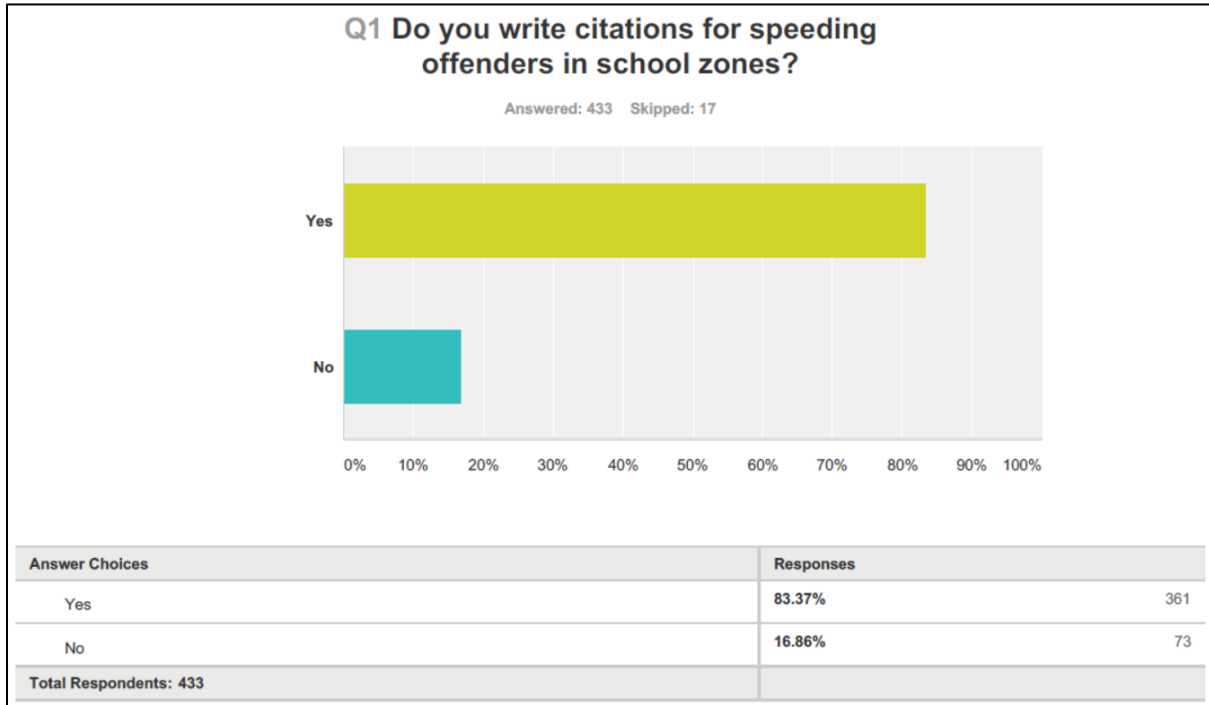
One of the primary impacts of the SZS Account has been improved safety in school zones as a result of the flashing beacon grant program. Research clearly shows that these traffic control upgrades reduce speeds in school zones. While the SZS Account has provided flashing beacon grants to 443 schools throughout the life of the program, OSPI reports 2,381 schools in Washington State. As a result, it is clear that more schools would benefit by continuing the flashing beacon grant program.

In addition to declining traffic enforcement and improved driver behavior, the proliferation of automated traffic safety cameras in school zones is a primary factor in the overall decline in SZS Account revenue. In light of this finding, a key action necessary to “ensure that the account is receiving all amounts that should be deposited into the account,” is to apply to [RCW 46.63.170](#) statutory provisions similar to those contained in [RCW 46.61.440](#). This would include ensuring that infractions issued by automated traffic safety cameras carry an additional monetary penalty that is then deposited into the SZS Account. Such action would ensure the revenue necessary to reinstate the flashing beacon grant program and continue the existing law enforcement and crossing guard programs.

Appendix A – School Zone Safety Account Revenue Report

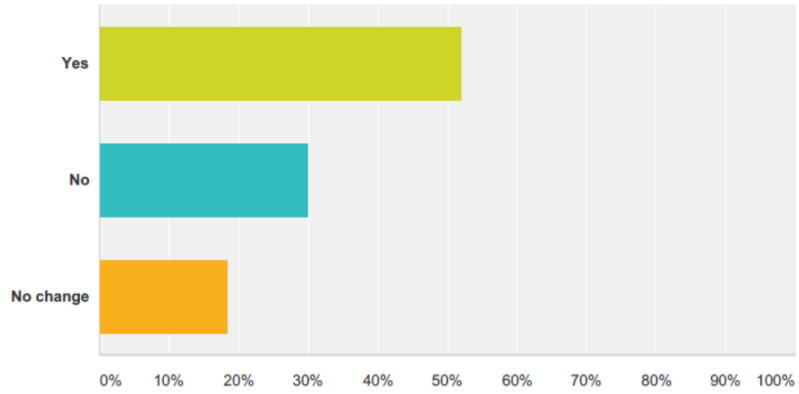
School Zone Safety Account (780) - Speeding in School Zone Violations														
2007-09			2009-11			2011-13			2013-15			2015-17		
Jul-07	\$0.00		Jul-09	\$84,596.39		Jul-11	\$95,673.29		Jul-13	\$52,527.58		Jul-15	\$39,954.99	
Aug-07	\$242,823.17		Aug-09	\$59,040.97		Aug-11	\$64,795.72		Aug-13	\$36,006.52		Aug-15	\$33,543.87	
Sep-07	\$105,367.76		Sep-09	\$48,144.22		Sep-11	\$49,457.23		Sep-13	\$29,611.31		Sep-15	\$22,917.45	
Oct-07	\$89,152.72		Oct-09	\$73,058.48		Oct-11	\$65,644.70		Oct-13	\$46,924.23		Oct-15	\$37,359.54	
Nov-07	\$114,964.22		Nov-09	\$80,709.80		Nov-11	\$86,196.34		Nov-13	\$59,135.29		Nov-15		
Dec-07	\$93,652.96		Dec-09	\$95,416.00		Dec-11	\$87,263.34		Dec-13	\$51,065.21		Dec-15		
Jan-08	\$75,715.92		Jan-10	\$82,658.21		Jan-12	\$72,234.39		Jan-14	\$62,609.29		Jan-16		
Feb-08	\$68,299.31		Feb-10	\$68,084.66		Feb-12	\$53,085.31		Feb-14	\$49,109.76		Feb-16		
Mar-08	\$83,025.46		Mar-10	\$100,969.38		Mar-12	\$90,331.03		Mar-14	\$57,634.85		Mar-16		
Apr-08	\$81,800.41		Apr-10	\$108,039.68		Apr-12	\$82,044.80		Apr-14	\$67,170.12		Apr-16		
May-08	\$81,440.75		May-10	\$114,583.21		May-12	\$81,126.69		May-14	\$65,826.00		May-16		
Jun-08	\$78,311.26		Jun-10	\$74,849.58		Jun-12	\$78,428.08		Jun-14	\$59,367.10		Jun-16		
Fiscal Year Total	\$1,114,553.94		\$990,150.58		\$906,280.92		\$636,987.26		\$133,775.85					
<i>monthly avg</i>	<i>\$92,879.50</i>		<i>\$82,512.55</i>		<i>\$75,523.41</i>		<i>\$53,082.27</i>		<i>\$33,443.96</i>					
Jul-08	\$72,242.40		Jul-10	\$99,364.62		Jul-12	\$49,550.75		Jul-14	\$62,075.78		Jul-16		
Aug-08	\$51,119.72		Aug-10	\$62,153.34		Aug-12	\$48,227.79		Aug-14	\$34,127.75		Aug-16		
Sep-08	\$40,786.68		Sep-10	\$41,249.64		Sep-12	\$34,352.17		Sep-14	\$25,847.45		Sep-16		
Oct-08	\$50,556.84		Oct-10	\$0.00		Oct-12	\$54,015.17		Oct-14	\$44,889.14		Oct-16		
Nov-08	\$66,463.67		Nov-10	\$180,707.37		Nov-12	\$75,816.78		Nov-14	\$47,063.22		Nov-16		
Dec-08	\$68,200.73		Dec-10	\$89,467.71		Dec-12	\$69,304.19		Dec-14	\$50,001.15		Dec-17		
Jan-09	\$60,816.30		Jan-11	\$73,955.45		Jan-13	\$0.00		Jan-15	\$50,634.80		Jan-17		
Feb-09	\$54,318.54		Feb-11	\$68,689.89		Feb-13	\$52,797.05		Feb-15	\$37,900.92		Feb-17		
Mar-09	\$69,832.44		Mar-11	\$96,884.94		Mar-13	\$120,444.30		Mar-15	\$55,734.18		Mar-17		
Apr-09	\$76,260.64		Apr-11	\$99,119.14		Apr-13	\$76,379.16		Apr-15	\$82,556.45		Apr-17		
May-09	\$0.00		May-11	\$86,474.20		May-13	\$78,331.87		May-15	\$48,432.34		May-17		
Jun-09	\$169,291.67		Jun-11	\$98,682.31		Jun-13	\$63,050.68		Jun-15	\$46,943.86		Jun-17		
Fiscal Year Total	\$779,889.63		\$996,748.61		\$722,269.91		\$586,207.04		\$0.00					
<i>monthly average</i>	<i>\$64,990.80</i>		<i>\$83,062.38</i>		<i>\$60,189.16</i>		<i>\$48,850.59</i>		<i>\$0.00</i>					
Biennial Total	\$1,894,443.57		\$1,986,899.19		\$1,628,550.83		\$1,223,194.30		\$133,775.85					
Mo Average	\$78,935.15		\$82,787.47		\$67,856.28		\$50,966.43		\$33,443.96					

Appendix B – 2014 Law Enforcement Officer Survey Results



Q3 Do you feel there are fewer offenders speeding in school zones than in the past?

Answered: 435 Skipped: 15



Answer Choices	Responses	
Yes	51.95%	226
No	30.11%	131
No change	18.39%	80
Total Respondents: 435		

Appendix C – References

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