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Lawmaker seeks to force California public workers to pay traffic fines

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One California lawmaker is fighting back after the Legislature killed his effort to close a loophole allowing thousands of public employees to avoid red-light camera, bridge or toll-road citations each year.

Assemblyman Jeff Miller vowed last week to reintroduce the bill, rejecting the notion that the state cannot afford to alter vehicle files to force privileged drivers – including legislators – to pay outstanding fines.

"People are trying to skirt the system and take advantage of it," he said. "Every average, hardworking family has to pay (its fines), and nobody should be above the law."

Statewide statistics are not kept, but the number of offenders is believed to be in the thousands each year – only a sliver of total violations, but costly in lost revenue nonetheless.

The Senate Appropriations Committee estimated that a crackdown could generate hundreds of thousands of dollars annually. Miller contends the sum would be much higher, perhaps millions, once penalties are added to fines.

"That's money that could be infused in important programs that help transportation without raising taxes," he said.

The Corona Republican is taking aim at a 32-year-old confidentiality program that bars the Department of Motor Vehicles from disclosing home addresses for about 1.5 million Californians in more than 2,400 agencies except to courts, tax, police and several other government functions.

The special program initially was designed to guard the safety of peace officers and judges by allowing them to request confidentiality to keep criminals or others from retaliating.

Through the years, however, the program has been expanded to include legislators, city council members, county supervisors, prison employees, trial court workers, parking officers, Child Protective Services social workers, national park rangers and various other groups.

The special status extends to members' spouses and children. Employees retain confidentiality for three years if they switch to a civilian job. Retired peace officers remain in the program permanently.

Participants are not subject to normal procedures when cameras catch them running a red light or evading fares on a public toll bridge or private toll road.

For most motorists, the typical chain of events in such cases is that the agency responsible for enforcement obtains their home address through vehicle records, then mails a citation.

When someone in the privacy program is detected, however, the DMV can release only the person's employing agency – not home address – to non-police agencies, collection firms, or to private companies that process citations for cities and counties.

Law enforcement agencies are authorized to obtain addresses from the DMV's confidential file, so ticket enforcers conceivably could request their assistance, but officials say the process can be time-consuming and not worth the expense on a minor offense.

Other options would be for ticket enforcers to seek a home address from the Internet or other public records, or to send a citation to the agency employing the offender and hope it trickles down to the right branch, office and desk. Many violations simply are written off.

Miller's bill was sparked by a 2008 Orange County Register investigation that scoured computer logs for one toll road – 91 Express Lanes – and found 14,535 unpaid tolls linked to the privacy program over a five-year period, with some violators chalking up hundreds of offenses.

Last year, the 91 Express Lanes reported 3,428 program-related violations, of which 1,294 were not resolved.

Millions of motorists use toll roads or drive through red-light intersections each year, however, so the number of violators in the privacy program is a pittance.

Miller's failed proposal this year, Assembly Bill 2097, would have required participants to provide a specific work address for mailing citations. Violators failing to pay citations sent to their workplace could not have renewed their vehicle's registration.

AB 2097 passed the Assembly without a single no vote, but it died in the Senate Appropriations Committee.

Sen. Christine Kehoe, a San Diego Democrat who chairs the Appropriations Committee, cited DMV costs of \$1 million to \$3 million to update its confidential files with work addresses.

The California State Sheriffs' Association supports Miller's push to demand work addresses. "It's keeping people accountable and responsible on how they drive," said San Benito County Sheriff Curtis J. Hill, president of the group.

About 24,000 unpaid Bay Area bridge tolls per year are linked to confidential addresses, but statistics are not readily available on how many of those ultimately are resolved, said Randy Rentschler of the Metropolitan Transportation Commission.

Violators who don't receive a citation may not even know of their offense.

Scott Leightman of Redflex Traffic Systems, which holds red-light contracts with more than 70 California cities and counties, said the ban on addresses does not pose a major problem.

"We obviously support any measure that gives municipalities the ability to enforce their laws," Leightman said.

Sgt. Tim Curran of the Sacramento County Sheriff's Department, which oversees red-light camera enforcement for the city and county, said his agency has no problem getting confidential addresses because it is law enforcement.

"The majority of people out there driving are law-abiding citizens," said Greg Hulsizer, chief executive officer of South Bay Expressway, a San Diego County toll road. "They pay the toll. But there are always a few people who are going to try to stretch or break the rules."

Former Assemblyman Todd Spitzer, an Orange County Republican who failed two years ago to pass legislation allowing public agencies to obtain private addresses for mailing citations, said a key issue is that state law should not help privileged motorists hide from fines.

"There shouldn't be a double standard," Spitzer said.

Read more: <http://www.sacbee.com/2010/11/09/3170201/lawmaker-seeks-to-force-california.html#ixzz17CKijXaY>

EDITORIAL

NO MORE FREE PASS FOR RED LIGHT RUNNERS

Sac Bee

A program intended to safeguard law enforcement officers and judges from stalkers has morphed into a wholesale evasion of fines for traffic, bridge and toll road violations for millions of privileged public employees in California.

When first enacted 32 years ago, the law only barred the Department of Motor Vehicles from disclosing home addresses of police officers and judges. It was intended to protect high-profile law enforcement officials from retaliation by criminals bent on revenge.

Over the years, the non-disclosure rule was vastly expanded to include child protective services workers, park rangers, city council members, legislators, prosecutors, county supervisors, trial court workers and even parking officers. It goes further. Those public employees' spouses and children can block disclosure of their addresses, too.

The non-disclosure list has ballooned to approximately 1.5 million public employees and their relatives, and produced a curious unintended consequence, as reported Tuesday by The Bee's Jim Sanders.

If any of those drivers is caught running a red light by a camera, or evading a bridge or road toll, there is no way for the private companies that handle enforcement of such violations to obtain their addresses. So for thousands of such violations committed each year by those on the non-disclosure list, no citation is issued. Millions of dollars in fines don't get paid. That's wrong.

A bill that would have required participants in the privacy program to provide work addresses for the purpose of mailing citations failed in the Senate Appropriations Committee this year. Opponents complained that it would cost the DMV \$1 million to \$3 million to update its files.

That seems a weak excuse. But there is a better way to handle the problem. Discontinue the non-disclosure list entirely. It's outdated.

State law now bars the DMV from disclosing home addresses for any of its licensees to anyone except for those with legitimate business reasons like financial institutions, insurance companies and toll road agencies.

The public-employee non-disclosure lists exceptions are much tighter. They do not include bridge and toll road agencies or the private companies that enforce red-light violations. That needs to change.

Surely notifying a driver of red light violations or bridge and road toll evasions and mailing citations constitute a legitimate business reason whether the driver is an ordinary citizen, legislator, police officer, judge, their wives, husbands or teenaged sons.

Read more: <http://www.sacbee.com/2010/11/11/3176293/no-more-free-pass-for-red-light.html#ixzz17CMLhdLX>