

City of Philadelphia



(Bill No. 080931)

AN ORDINANCE

Amending Chapter 12-3000 of The Philadelphia Code, entitled “Use Of An Automated Red Light Enforcement System To Prevent Red Light Violations,” by authorizing the installation of red light enforcement systems at certain additional locations and conforming the Code to state law standards with respect to the recording of violations, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 12-3000 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 12-3000. USE OF AN AUTOMATED RED LIGHT ENFORCEMENT SYSTEM TO PREVENT RED LIGHT VIOLATIONS.

§ 12-3001. Definitions.

(1) Automated Red Light Enforcement System. Shall mean a vehicle sensor installed to work in conjunction with a traffic-control signal which automatically produces one or more [photographs] *recorded images* of a vehicle at the time the vehicle is used or operated in a manner which is a violation of the Motor Vehicle Code, or as otherwise defined under the Motor Vehicle Code.

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(3) *Recorded Image.* An image recorded by an automated red light enforcement system on a photograph, a digital image or any other image-capture technology.

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§12-3005. Intersections At Which This Chapter Applies.

(1) Automated red light enforcement systems that are approved by the Pennsylvania Department of Transportation may be used to enforce this Chapter only at the following intersections, and as this list may be amended from time to time by ordinance, subject to the designation of such intersections by agreement of the System Administrator and the Pennsylvania Secretary of Transportation:

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(q) *John F. Kennedy Boulevard at Broad Street.*

(r) *South Penn Square at Broad Street.*

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§ 12-3007. Notification of Violation.

(1) The System Administrator shall prepare and mail a notice of violation addressed to the registered owner of a vehicle identified in a [photograph] *recorded image* produced by an automated red light enforcement system as evidence of a violation of Section 3112(a)(3) of the Motor Vehicle Code and this Chapter.

* * *

§12-3012. Limitations.

(1) No automated red light enforcement system shall be utilized in such a manner as to take a frontal view [photograph] *recorded image* of the vehicle as evidence of a violation.

(2) Notwithstanding any other provision of law, camera equipment deployed pursuant to this Chapter must be incapable of automated or user-controlled remote intersection surveillance by means of recorded video images. [Photographs] *Recorded images* collected as part of the automated red light enforcement system [must be 35-millimeter film only,] must only record traffic violations and may not be used for any other surveillance purposes. The restrictions set forth in this paragraph shall not be deemed to preclude a court of competent jurisdiction from issuing an order directing that the information be provided to law enforcement officials if the information is reasonably described and is requested solely in connection with a criminal law enforcement action.

(3) Notwithstanding any other provision of law, information prepared under this Chapter and information relating to violations under this Chapter which is kept by the City or its authorized employees or agents, including [photographs] *recorded images*, written records, reports or facsimiles, names, addresses and the number of violations under this Chapter, shall be for the exclusive use of the City, its employees, its authorized agents and law enforcement officials for the purpose of discharging their duties under this Chapter. The information shall not be deemed a

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public record under the act of June 21, 1957 (P.L. 390, No. 212), as amended, known as the Right-to-Know Law.

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(4) [Photographic evidence] *Recorded images* obtained through the use of automated red light enforcement systems pursuant to this Chapter shall be destroyed within one year of final disposition of any recorded event. The City shall file notice with the Department of State that the records have been destroyed in accordance with this Chapter.

SECTION 2. This Ordinance shall be effective immediately.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on February 5, 2009. The Bill was Signed by the Mayor on February 25, 2009.



Patricia Rafferty
Chief Clerk of the City Council