

Legislation Text

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Amending Chapter 12-3000 of The Philadelphia Code, entitled “Use of an Automated Red Light Enforcement System to Prevent Red Light Violations,” by conforming Sections 12-3006 (“Penalty”), 12-3007 (“Notification of Violation”), and 12-3012 (“Limitations”) with the applicable enabling legislation, 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.

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§ 12-3006. Penalty.

- (1) The penalty for a violation of this Chapter shall be a fine of \$100.
- (2) Fine money collected by the System Administrator pursuant to this Chapter shall be distributed as set forth in Section 3116 of the Motor Vehicle Code.
- (3) No penalties are authorized during the first [sixty (60)] *forty-five (45)* days of operation of the automated system at each particular intersection. During such phase-in period, a warning may be sent to the violator.

§ 12-3007. Notification of Violation.

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- (5) In the case of a violation involving a motor vehicle registered under the laws of this Commonwealth, the notice of violation must be mailed within [14 days of the violation, exclusive of Sundays and holidays,] *30 days after the commission of the violation or within 30 days after the discovery of the identity of the registered owner, whichever is later, and not thereafter* to the address of the registered owner as listed in the records of the Department of Transportation. In the case of motor vehicles registered in jurisdictions other than this Commonwealth, the notice of violation must be mailed within [21 days of the violation, exclusive of Sundays and holidays,] *30 days after the discovery of the identity of the registered owner and not thereafter* to the address of the registered owner as listed in the records of the official in the jurisdiction having charge of the registration of the vehicle. *A notice of violation under this Section must be provided to an owner within 90 days of the commission of the offense.*

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§ 12-3012. Limitations.

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- (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 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 public record under the act of [June 21, 1957 (P.L. 390, No. 212),] *February 14, 2008 (P.L. 6, No. 3)*, as amended, known as the Right-to-Know Law. The information shall not be discoverable by court order or otherwise, nor shall it be offered in evidence in any action or proceeding which is not directly related to a violation of this Chapter. 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. The restrictions set forth in this paragraph are intended to protect the privacy of individuals and refer to information relating to specific drivers and vehicles. Nothing in this paragraph shall prevent the City or its authorized agents from providing the public with statistical information regarding the number of violations and fines imposed, a compilation of fines paid and outstanding and the amount of money paid to a vendor or manufacturer under this Section, provided that no individual driver or vehicle is identified.

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SECTION 2. This Ordinance shall take effect immediately.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.