

## Stop-Sign Camera Illegal? Residents Weigh In

July 03, 2007

**Max Taves** , Staff Writer

When Chief Ranger Walt Young successfully pushed his superiors at the Mountains Recreation and Conservation Authority (MRCA) to install a camera at Temescal Gateway Park last month that would help catch stop-sign violators on video and slap them with a \$100 fine, he thought community members would be happy.

Then he met Jack Allen.

Through detailed mass e-mails, a 14-page legal memorandum and a heated interrogation at last week's Palisades Community Council meeting, the former decade-long Beverly Hills city attorney has launched an aggressive attack on the MRCA.

Allen, 75, charges the state joint-powers authority with illegally and furtively trying to raise revenue through its camera, which captures video of stop-sign violators from the back of their cars as they exit Temescal's first parking lot onto a park roadway before emptying onto Sunset Boulevard.

'This is the first time in 14 years of public service with the MRCA that I have received notice that park rangers are enforcing park safety rules to excess,' replied Young to Allen's charges in an e-mail message to council members. 'At every meeting I have ever attended, citizens want more enforcement. If battle lines are being drawn, I will not compromise my position regarding enforcement of park safety regulations.'

In a press release late last month, the MRCA, which manages nearly 50,000 acres of parkland in Southern California, announced that it had begun using an automated camera at stop signs at Franklin Canyon Park off Mulholland Drive, the top of Topanga Overlook in Topanga and at Temescal--among the MRCA's three 'most heavily used parks.' And the MRCA has plans to expand its use of automated camera enforcement beyond these three parks within the year.

Installed by Redflex Traffic Systems Inc., an Australian company, the camera begins recording when a car's speed at one of its sensors indicates the car will probably not be able to stop at the sign. If the car does not make a full stop, the vehicle owner--but not necessarily the driver--is sent a ticket and a link to the Web site ([www.mrcapublicsafety.ca.gov](http://www.mrcapublicsafety.ca.gov)), where owners can watch their car roll past the stop sign.

In exchange for fully funding the installation of the cameras, Redflex will collect \$20 of the \$100 citation, said Young, who strongly believes that this camera is needed at Temescal.

Young says many westbound commuters turn off Sunset Boulevard into the park to avoid a U-turn restriction at the Sunset-Temescal intersection. Preliminary data captured by the camera and reported by Redflex show that on average 250 vehicles exited the small parking lot in a single day. Of those, as many as 78 'non-stops' were recorded, according to Young.

These violations pose a risk to Canyon visitors--many of whom are children in the summer--Young says. In addition to a flurry of summertime hikers and YMCA swimmers, the park is also shared by a summer pre-school, an LAUSD science camp and a YMCA camp.

But Allen, who spent 10 hours with a radar gun counting park traffic and violations, argues that Young has grossly exaggerated the dangers of the stop sign.

'They're not speeding through there,' Allen said. 'But they might roll through the stop because the limit line is so far back.'

Allen contends that the park has deliberately ignored state laws and national standards to raise revenue:

The state Vehicle Code authorizes using automated traffic enforcement at stop signals, not stop signs. That omission prohibits the MRCA from using the camera to issue tickets, he says.

Also, Allen notes that no traffic engineering analysis was done at the site to determine its danger and the effectiveness of an automated monitor--a fact confirmed by MRCA spokesperson Dash Stolarz.

Allen's arguments seemed to persuade many on the Community Council, which regularly rallies local



*Rich Schmitt / Staff Photographer*

Jack Allen examines the stop-sign camera, which is housed in a cabinet in a parking lot in Temescal Gateway Park. Allen argues the Mountains Recreation and Conservation Authority (MRCA) violated the state Vehicle Code in an attempt to raise revenue.

governments and political leaders for more safety and traffic enforcement.

'This is addressing a problem that doesn't exist,' said Mike Streyer, a council member. 'This isn't an area where people are going to be whipping around. It sounds like the company has an incentive to write tickets.'

Council Vice-Chair Richard G. Cohen argued that because the camera does not capture an image of the driver, the MRCA's tickets will have little legal merit in state courts, which place the burden of proof on prosecutors to prove that a driver has committed a moving violation.

MRCA Contract Legal Counsel Lance Bayer told the Palisadian-Post on Monday that the Vehicle Code covers public highways, but not necessarily roadways through parks'essentially leaving the MRCA to police its own roads. Bayer also said vehicle owners who are cited can appeal their tickets in front of a hearing officer and in Superior Court.

Spokesperson Stolarz said that Redflex will review video before citations are assigned, but only rangers will decide who will receive a ticket.

Actual fines will begin to be issued after July 17, after a one-month warning period. MRCA officials said they have not yet determined how many people have been given warnings so far. Like a parking violation, MRCA citations cannot count affect a driver's record.

'I agree with Jack [Allen] and Mike [Streyer] that this is absolutely unnecessary,' said George Wolfberg, president of the Santa Monica Canyon Civic Association. 'You might think it's going to work, but you can't make the community like it!'

'I'm not making this up,' Young replied. 'This is a disaster waiting to happen.'

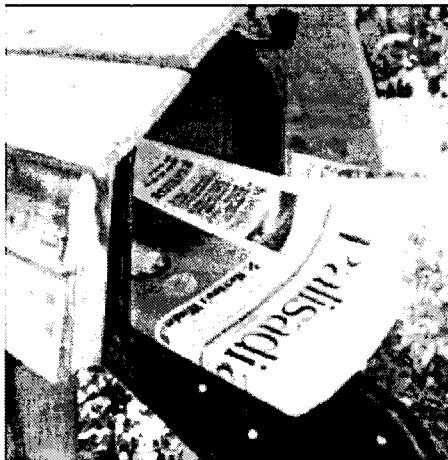
Allen, who lost a lawsuit against the Santa Monica Mountains Conservancy in 2004, says he has no intent to file a lawsuit against the MRCA. But he argues that the MRCA's interpretation will not withstand legal challenges in state courts. He plans to lobby the Community Council at its next meeting on July 12 to urge the Attorney General to review the MRCA's action.

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To contact Staff Writer Max Taves, e-mail [reporter@palipost.com](mailto:reporter@palipost.com) or call ext. 28.

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