

BUSINESS RULES FOR THE CITY OF REDDING, CA



RED LIGHT PHOTO ENFORCEMENT PROGRAM



CITY OF REDDING, CALIFORNIA REDFLEX TRAFFIC SYSTEMS BUSINESS RULES

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Change History Log

A Change History Log is especially useful when changes are made to the document after all stakeholders have approved it. Any changes should be noted in this log so that the readers clearly understand what information was changed between versions.

Date	Version #	Change Description	Author(s)
01.15.07	1.0	Initial draft of business rules	Ray Torrez
3.5.07	1.2	First revision after kick off	Ray Torrez
04.20.07	1.3	# 24, 25	Ray Torrez, Joe Bernard
05.18.07	1.4		Ray Torrez
05.25.07	1.5	# 32, 33	Joe Bernard
02-15-08	1.6	#39 – court packs on cd	Ray Torrez
11-20-12	1.7	#17 Updated IT address #38 Changed e-mail	Marc Carroll

		#39 Removed CCF	
1-20-14	1.8	#18 Updated IT contact info #19e Updated contact info #38 Updated email info	Marc Carroll
1-31-14	1.9	#9 Bail #15 Case Disposition notification #16 Dismissal list procedure #17 corrected IT contact's name and PD IT contact changed #27 added Sun Glare/Safe Stop On Red to uncontrollable rejects	Marc Carroll
4-5-18	1.10	#19e- City Project Manager Updated #19f- Updated contact info #38- Updated recipients #39e- Removed Image Log #43- Updated Purge requirements Attachment A- Updated MUTCD standards/charts Attachment C- Updated 21455.5VC	Marc Carroll

Purpose of Business Rules

The intent of this document is to provide guidelines, structure and methods of operation for the various functions that comprise a red light camera program. The rules encompass an array of procedures that direct the work of Redflex Traffic Systems (RTS) employees. Though the contract is the controlling document outlining various obligations of RTS and the city, these rules define specific operational components of the program. These rules may be amended from time to time at the direction of the city, when legislative changes occur, or when RTS updates or changes a procedure. When it is necessary to modify a function defined herein, that change will be noted in the revision history. It is also encouraged to review these rules on no less than an annual basis. A copy of the rules will be retained by RTS and the city. Any change to the rules will require notice to the other party.

Citation Information/ Court Procedures

1. The following minimum information shall be included on all citations (CVC 40518 (b)):
 - a. Registered owner name and address
 - b. License plate of vehicle
 - c. Violation and description
 - d. Date, time and location of offense
 - e. Specify whether a driver's license is commercial
 - f. Date, time and location of court appearance

- g. Issuing officer's name, rank and ID number
 - h. The description of the offense as appears on the citation will be "Failure to Stop at Red Light."
 - i. The statute for red light running in California is: **CVC 21453 (a)**. This statute applies to a driver facing a steady circular red signal regardless of the movement the driver makes in violation of the provisions of this section. The statute for violating a steady red arrow is **CVC 21453 (c)**.
 - j. DOB or CDL (if known, not required by statute)- **Court requires DOB & CDL (if not Owner's Responsibility citation) on RLC filings.**
 - k. Physical description (if known, not required by statute)
2. The registered owner's name on the citation will read first, middle and last name with no commas.
 3. Redflex will use the Notice to Appear template approved by the California Judicial Council.
 4. The date of issue on the citation is the date Redflex printed and mailed the citation. This is different from the date of violation. Both dates are included on the citation.
 5. Citation numbering format will be: RF1234567.
 6. Affidavit of Non-Liability citation numbering format will be: RF1234567. A new number will be assigned for nominations.
 7. A courtesy notice WILL be mailed by the court.
 8. Bail amount Will Not be printed on the back of the citation.
 9. The bail amount for a red light violation is \$390.00.
 10. The "respond-by" or appearance date will be 60 calendar days from the date of issue, excluding holidays.
 11. Adult defendants will be cited into the listed court:

Shasta County Superior Court Courthouse
1500 Court Street
Redding, CA 96001
Phone: (530) 245-6789

Juvenile defendants will be cited into the listed court:

Shasta County Superior Court Courthouse
1500 Court Street
Redding, CA 96001
Phone: (530) 245-6789

12. Failure to appear on a photo enforced citation WILL result in a civil sanction, e.g., declaration of judgment, referral to a collections agency, suspension of driver's license or

license plates, lien on motor vehicle title or whatever other sanctions are authorized by the presiding court.

13. Redflex WILL place an electronic file containing printed original and nominated citation information on the Redflex FTP site each day for court retrieval.

- a. Does the court require hardcopies of the citations? NO
- b. If yes, images ARE NOT included.
- c. If yes, hard copies should be mailed to:

14. Juvenile cites WILL be placed on the FTP site the same as adults. Hard copies will be mailed directly to the juvenile court.

- a. Does the court require hardcopies of the juvenile citations? NO
- b. If yes, images ARE NOT required.

If yes, hard copies should be sent to:

15. Redflex WILL NOT receive a file transfer from the court listing court dispositions. If not, list what method is available for Redflex to receive disposition information.

As of 10/3, the Shasta County court does not provide disposition data in a format suitable for use by Redflex Traffic Systems.

16. Redflex WILL NOT provide an e-mail copy of the dismissal to both the police department and the courts. Redding Police will use the SMARTops Reports application to run the weekly dismissal report.

17. Redflex programmers will contact the following court representative to obtain sample file layout, establish file transfer protocol, and set up a test environment.

Primary court IT contact:

Name: Tom Cloud

Title: _____

Work Phone: 530-245-6394
Mailing Address: 1500 Court St
Redding, Ca 96001
E-mail: tcloud@shastacourts.com

Primary PD IT contact:

Name: Addie Carter
Title: Systems Administrator
Work Phone: 530-225-4208
Mailing Address: City Hall
777 Cypress Ave
Redding, Ca 96001
E-mail: acarter@reddingpolice.org

18. The primary Redflex contact for programming is:

Name: Marc Carroll
Title: Client Services Manager
Work Phone: (530) 957-2856
Mailing Address: P.O. Box 4040
Culver City, CA 90230
E-mail: mcarroll@redflex.com

Contract Details/ Summary

19. The contract details are for:

- a. Up to 10 approaches
- b. The specific approaches are listed in Attachment B.
- c. The term of the contract is for three (3) years from the initial installation date.
- d. The fee for service is as follows and may or may not include items listed in (e) and (f):
 - i. A fixed fee of \$5,500 for one/two lanes, \$6,000 for 3 or more lanes per month for each Designated Intersection Approach
 - ii. Cost neutrality is assured to the City
- e. The city shall assign a project manager: That person is:

Name: ~~Brian Barner~~ Mark Montgomery
Title: Sergeant
Work Phone: (530) 245-7019 776-0331
Mailing Address: 1313 California St 777 Cypress Ave.
Redding, Ca 96001
E-mail: bbarner@reddingpolice.org

- f. The individual responsible for invoices and other financial matters, if different:

Name: ~~Janet Crawford~~ Michele Davis
Title: Management Analyst
Work Phone: (530) 245-7157
Mailing Address: 1313 California St 777 Cypress Ave
Redding, Ca 96001
E-mail: jcrawford@ci.redding-ca.us
mdavis@reddingpolice.org

Note: Invoices are to be mailed to Same.

- g. The City WILL be responsible for power at each photo enforced intersection.
h. Redflex WILL be responsible for the installation and monthly service fees for the high speed Internet connection at each intersection.
i. Redflex WILL be responsible for the fabrication, installation, and maintenance of all required Advisory Signs in compliance with the Department of Transportation's Traffic Manual.
j. Redflex WILL NOT be responsible for the installation of LEDs.
k. Redflex WILL be responsible for the hardware and software necessary to authorize citations. See Item 44 for recommended specifications.
l. The City, with Redflex cooperation, WILL be responsible for any/all Public Service Announcements to be made prior to the commencement of the warning period.

Warning Period/ Enforcement Procedures

20. Prior to issuing citations a 30-day warning period must commence (CVC 21455.5 (a)(2)(b)).
- a. The City DOES require a separate and independent warning period for each new approach that goes live once the initial warning period has been completed.
 - b. The law enforcement agency WILL authorize incidents during the warning period.
- Note:** The PD would like to issue all initial warning incidents. If an approach goes live after the initial 30 days, the PD does not want to authorize those incidents.
21. The City WILL be responsible for all public announcements to be made in compliance with California Vehicle Code (CVC 21455.5 (a)(2)(b)). Attachment C, all sections relevant to automated photo enforcement.
22. The City will be responsible for assuring that the yellow signal light intervals conform to prevailing authority requirements set forth in California Vehicle Code **§21455.7**:
- (a) At an intersection at which there is an automated enforcement system in operation, the minimum yellow light change interval shall be established in accordance with the Traffic Manual of the Department of Transportation.
 - (b) For purposes of subdivision (a), the minimum yellow light change intervals relating to designated approach speeds provided in the Traffic Manual of the Department of Transportation are mandatory minimum yellow light intervals.
 - (c) A yellow light change interval may exceed the minimum interval established pursuant to subdivision (a).
- See Appendix A, Cal Trans phasing interval chart and timing verification document.
23. Passengers' faces shall be masked on the citation.
24. Where driver DMV information is not available, Redflex will process the incident with "dummy" information and place it in the police authorization queue. The name field will read "NOF", the address line will read "123 Any Street" and Redflex will mark the incident as "Incomplete Details".
- a. If the Redding Police Department is able to obtain full details, they will have the option of making appropriate updates via police authorization.
 - b. If the Redding Police Department is unable to obtain full details, they will reject the incident in police authorization.

Note: The Redding Police Department will have the option to incorporate the process whereby Redflex will issue a Notice of Violation when DOB or DL is not available. Under these circumstances, the court will not be notified.

25. Where partial driver DMV information is available, Redflex will process the incident with available information and place it in the police authorization queue for disposition by the Redding Police Department.

- a. If the Redding Police Department is able to obtain full details, they will have the option of making appropriate updates via police authorization.
- b. If the Redding Police Department is unable to obtain full details, they will reject the incident in police authorization.

Note: The Redding Police Department will have the option to incorporate the process whereby Redflex will issue a Notice of Violation when DOB or DL is not available. Under these circumstances, the court will not be notified.

26. Redflex will reject violations for obvious mitigating events (i.e., funeral procession, officer-controlled intersection, parade, etc.) and for camera malfunctions.

27. The Redding Police Department also has the ability to reject incidents for the following reasons:

- a. Non-controllable
 - i. Emergency vehicle
 - ii. Police discretion
 - iii. Citation issued manually
 - iv. Duplicate nomination
 - v. Gender mismatch
 - vi. Plate unidentifiable
 - vii. Plate obstruction
 - viii. Incorrect/incomplete DMV information
 - ix. Invalid offense
 - x. Safe turn on red
 - xi. Multiple vehicles in frame
 - xii. Police controlled/funeral procession
 - xiii. Weather conditions
 - xiv. Yielding to an emergency vehicle
 - xv. Incorrect plate on vehicle
 - xvi. Driver obstruction/Duckers

- xvii. Sun Glare
- xviii. Safe Stop On Red
- b. Controllable
 - i. Unclear scene image
 - ii. Incorrect speed
 - iii. Vehicle on or past stop line
 - iv. Red light not visible in video/images
 - v. No video
 - vi. No images
 - vii. Insufficient strobe lighting
 - viii. Plate unclear
 - ix. Driver unidentifiable images poor

28. Incidents where the driver's gender appears to be different than the registered owner's name will be placed in police authorization for disposition by the Redding Police Department.
29. Incidents involving traffic accidents will be placed in police authorization for disposition by the police department.
30. A Notice to Appear issued pursuant to CVC §40518 for an alleged violation recorded by an automated enforcement system shall contain, or be accompanied by, an Affidavit of Non-Liability and information as to what constitutes non-liability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the issuing agency.
31. Redflex will receive the Affidavit of Non-Liability, update the information, process the new citation and send it to the Redding Police Department for approval. Once approved, the original citation will be placed on the Dismissal Report. The Redding Police Department also has the option of updating citation information from an Affidavit of Non-Liability by accessing the appropriate web-site.
- a. Incomplete Affidavit of Non-Liability and/or other correspondence concerning a violation received by Redflex will be forwarded to the Redding Police Department for disposition.
 - b. It will be the responsibility of the Redding Police Department to retrieve the dismissal list from the online reports link and deliver this to the court for final disposition.

32. Citations returned to Redflex with a forwarding address, will not be amended. The citation will be placed in a new envelope and mailed to the new address.
33. Citations returned to Redflex with no forwarding address will be forwarded to the Redding Police Department to research a new address. If successful, the police will place the citation in a new envelope and mail the citation to the new address. The citation will not be amended. If the police are unsuccessful in their search for a new address, the police will update the status of the record to "**Bad Address**" in Redflex Smartops Online application. Updating the record to this status will place the record on the Dismissal Report. The police will generate the "Dismissal Report" and deliver it to the court, who will dismiss the citation.

Timelines

34. Redflex shall place offenses in the police authorization queue within **6** days of the violation.
35. The Redding Police Department will authorize violations within **4** days of receipt from Redflex.
36. Redflex will mail the citation on or before the **15th** day from the date of violation in order to meet proof of service requirements (CVC §40518 (a)).
- a. A Certificate of Mailing will accompany each citation (CCP 1013 a).

Trial and Evidence Information

37. The Redding Police Department will notify Redflex of upcoming trials by e-mail at least two weeks in advance to allow sufficient time to prepare court evidence packages. E-mails will be sent to: courtpacks@redflex.com.
38. Redflex will mail court packages to:

Name: Redding Police Department Traffic Sergeant

Title: Traffic Sergeant

Work Phone: 530-245-7109

Mailing Address: 1313 California St 777 Cypress Ave.
Redding, Ca 96001

E-mail: bbarnes@reddingpolice.org
bkohlman@reddingpolice.org
mdwoods@reddingpolice.org

kheuer@reddingpolice.org

39. The court evidence package will consist of the following and will comply with the Civil Code of Procedure §2015.5:
- a. Court Packs to be sent by mail to Redding Police on CD/DVD at the address listed above (38), the CD will contain the original images and video.
 - b. Evidence package checklist
 - c. Color copy of citation
 - d. Four enlarged color photos of violation images
 - ~~e. Image log~~
 - f. Maintenance log
 - g. Nominations (if applicable)

Photo Viewing

40. Pursuant to CVC §21455.5 (f) the registered owner or any individual identified by the registered owner as the driver of the vehicle at the time of the alleged violation shall be permitted to review the photographic evidence of the alleged violation.
41. Please provide the following information regarding photo viewing:
- a. Phone number to call to request viewing: 530-225-4343
 - b. Address where the viewing will be held:
1313 California St,
Redding CA 96001
 - c. Days and times viewing available: Mon & Fri, 0900-1100 hrs
 - d. Viewing WILL NOT be by appointment only
42. Redflex will host a website whereby the notice recipient may view the violation video online at <http://www.photonotice.com> (city code: REDDNG). Citizens may use computers in the public libraries to access the website.

Records Retention/ Confidentiality

43. Any and all photographic records made by Redflex Traffic Systems automated enforcement system and any confidential information obtained from the Department of Motor Vehicles will be retained as follows:

As of 10/3, the Shasta County court does not provide disposition data in a format suitable for use by Redflex Traffic Systems. Should this change the instructions below may be reviewed and amended as necessary.

1. Incidents initially sent out as Corporate notices (traffic violation notices) shall be held for 12 months from date of violation, then destroyed. However, if a corporate notice evolves to a citation (notice to appear) within the initial 12 month time frame, hold all data/images/supporting evidence for 36 months from date of violation.

2. Incidents initially sent out as Citations (notice to appear) shall be held for 36 months from the date of violation then destroyed.

3. EXCEPTION: Where a HOLD has been placed on a corporate notice or a citation by the police dept, that incident and all accompanying evidence shall be held until such time as the HOLD is removed by law enforcement.

4. Nominations / Affidavits of non liability received by Redflex shall be held for 36 months from the date of violation then destroyed.

According to California Vehicle 21455.5 (e)(3), *“except for court records described in Section 68152 of the Government Code, the confidential records and information described in paragraphs (1) and (2) may be retained for up to six months from the date the information was first obtained or until final disposition of the citation, whichever date is later, after which time the information shall be destroyed in a manner that will preserve the confidentiality of any person included in the record or information.”*

Shasta County Court does not provide an electronic case disposition report to Redflex.

ISSUED CITATIONS:

Redding PD has directed that Photographs, video, and confidential DMV data, associated with citations which appear as “Sentenced” or “Dismissed” on the court’s disposition report shall be purged 36 months from the date each report is received. (This will allow ample time for the 30-day period to file an appeal of a guilty verdict.)

HOLD FLAG:

If a defendant files an appeal following a guilty verdict, the (client) must use the “HOLD” flag in police authorization to notify RTS to hold the evidence for this citation until the appeal has been heard and a final disposition rendered. Redding PD personnel will be responsible to clear the hold on any incident previously held from the purge process.

RTSI REJECTED INCIDENTS –and- POLICE DISMISSALS

Photographs, video, and confidential DMV data shall be destroyed __6__ months from date of capture.

TVN / COURTESY NOTICES

TVN/Courtesy Notices which have not been nominated shall be purged _36__ months from date of incident capture.

CITATIONS

Citations which do not appear on a court disposition report shall be purged 3 years and 1 day from date of incident capture.

WARNING NOTICE

Warning Notices shall be purged _6__ months from date of incident capture.

NOMINATIONS

Nominations that have not evolved into a TVN/Courtesy Notice shall be purged _36__ months from the date of receipt.

Recommended System Requirements

44. The following hardware and software specifications are minimum requirements:

Computer

Intel Pentium 4 2.0 GHz / AMD Athlon XP 2400+ or better

32 MB Graphics card or better

256MB RAM or better

40 GB Hard drive space or better

Monitor

17” screen size or better

1024 x 768 resolution or better

Operating System

Microsoft Windows XP SP1 or better

Microsoft Internet Explorer 6.0 or better

Microsoft Windows Media Player 9.0 or better

ISP

512kb/s download speed or better

Knockdown Procedures

45. In the event any RTS equipment is damaged and/or becomes non-functional due to a traffic collision or other similar cause it will be the responsibility of the law enforcement agency to take the following steps:
- a. Notify the Customer Representative by phone
 - i. If unable to make personal notification, notify the Help Desk by phone or e-mail
 - b. Document the incident on an official police report
 - i. CHP 555 or other appropriate form
 - c. Secure the damaged poles, enclosures, or other RTS equipment
 - d. Forward all appropriate reports of the incident to RTS

Miscellaneous

46. Lane numbering will be in accordance with state DOT standards, if applicable. Otherwise, lane numbering will be as follows: all lanes to be numbered sequentially from left to right, from median to curb, i.e., 1, 2, 3, 4, 5, etc. A lane that provides for either a straight through or a turn will be numbered as a straight through lane.
47. A password will be issued to each person who is authorized to access SmartOps.
48. Redflex will provide a toll free Help Desk number for **customer** inquiries from 6:00am to 6:00pm (MST). The Help Desk can be reached at **(800) 568-8405** or helpdesk@redflex.com.
49. Redflex will provide a toll free Call Center number for **citizen** inquiries from 9:00am to 4:00pm (MST). The Call Center number is **(877) 847-2338**.
50. A training program of up to 16 hours will be provided to as many attendees as deemed necessary by the City. The session will be held either at Redflex Corporate Offices in Scottsdale, Arizona or within the local area, whichever is most feasible. Travel, lodging and per diem, if required, is the responsibility of the City. Mutually agreeable dates and times will be arranged at a later date. Generally, training occurs once per month at the Arizona location.
51. If a revenue split is in place, Redflex and the City will share equally any extraordinary collection costs, specifically to include, however, not limited to outsourcing for a collection agency. If a fixed fee agreement is in place, the City will bear all collection costs.

52. The State Auditor's Report of July 2002 encourages law enforcement personnel involved with automated enforcement programs to visit the physical plant where back office operations are performed at least once a year.

Forms for Approval/ Completion

53. The forms listed below need to be reviewed and/or completed:

- a. Warning Letter
- b. Notice to Appear (front)
- c. Notice to Appear (back)
- d. Juvenile Notice to Appear (front)
- e. Juvenile Notice to Appear (back)
- f. Affidavit of Non-Liability
- g. Instructions Page(s)

Note: If a Spanish instructions page is required, this should be verified by the court.

- h. DMV Requestor Code Forms (2)

Both parties agree that the business rules are a guide and that from time to time changes will need to be made. Both parties agree that when changes are required Redflex Traffic Systems and the City of Redding will discuss the changes and initiate them within a reasonable amount of time and at the most economical cost possible.

Attachment A

Cal Trans Yellow Change Interval Chart

Yellow Change Intervals

The purpose of the yellow signal indication is to warn traffic approaching the signal that the related green movement is ending or that a red indication will be exhibited immediately thereafter and traffic will be required to stop when the red signal is exhibited. The length of the yellow change interval is dependent upon the speed of approaching traffic. Suggested yellow intervals are shown below are calculated by using the formula as shown in Table 9-4 4D-102 (CA):

Approach Speed	Yellow Interval mph (km/h)	(seconds)
25 or less (40 or less)	3.0
30 (48)	3.2
35 (56)	3.6
40 (64)	3.9
45 (72)	4.3
50 (80)	4.7
55 (89)	5.0
60 (97)	5.4
65 (105)	5.8

Taken from the California Department of Transportation, Traffic Manual, Chapter 9-04.5 4D (2014 Edition) Yellow Change Intervals
<http://www.dot.ca.gov/hq/traffops/signtech/signdel/trafficmanual.htm>

Table 4D-102 (CA). Minimum Yellow Change Interval Timing

Yellow Time = $\frac{\text{Detector Setback Distance}}{\text{Speed}}$

$T = \frac{D}{V}$ = The minimum yellow change interval (sec)

V = Speed (ft/sec)

d = Deceleration Rate (10 ft/sec²)

t_R = Reaction Time (1 sec)

Reaction Distance = Vt_R

Deceleration Distance = $\frac{1}{2}dt^2$ or $\frac{1}{2}Vt$ or $\frac{V^2}{2d}$

D = Detector Setback = Deceleration Distance + Reaction Distance = $\frac{V^2}{2d} + Vt_R$

$$T = \frac{\frac{V^2}{2d} + Vt_R}{V}$$

$T = \frac{V}{2d} + t_R$

a - For Speed determined by 85th Percentile

SPEED (Determined by 85th Percentile Speed)*	MINIMUM YELLOW INTERVAL
mph	Seconds
25 or less	3.0
30	3.2
35	3.6
40	3.9
45	4.3
50	4.7
55	5.0
60	5.4
65	5.8

*See Section 4D.26 Standard under paragraph 14b

Updated 4-5-18

b - For Posted or Prima Facie Speed

POSTED SPEED or UNPOSTED PRIMA FACIE SPEED	MINIMUM YELLOW INTERVAL*	MINIMUM YELLOW INTERVAL*
mph	Seconds	Seconds
15	N/A	3.0
20	N/A	3.2
25	N/A	3.6
30	3.7	N/A
35	4.1	N/A
40	4.4	N/A
45	4.8	N/A
50	5.2	N/A
55	5.5	N/A
60 or higher	5.9	N/A

*Speed values for Table 4D-102b (CA) are inclusive of the 7 MPH added for speeds equal to 30 MPH or higher and 10 MPH for speeds equal to or lower than 25 MPH for determining the minimum values of the yellow intervals.

Updated 4-5-18

Attachment B

Yellow Change Interval Verification

Intersection:	
Approach direction:	
Movement:	
Speed limit	
Yellow Interval:	
Yellow interval minimum	
Verified by	
Date	

Intersection:	
Approach direction:	
Movement:	
Speed limit	
Yellow Interval:	
Yellow interval minimum	
Verified by	
Date	

Intersection:	
Approach direction:	
Movement:	
Speed limit	
Yellow Interval:	
Yellow interval minimum	
Verified by	
Date	

Intersection:	
Approach direction:	
Movement:	
Speed limit	
Yellow Interval:	
Yellow interval minimum	
Verified by	
Date	

Intersection:	
Approach direction:	
Movement:	
Speed limit	
Yellow Interval:	
Verified by	
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Yellow Interval:	
Verified by	
Date	

Intersection:	
Approach direction:	
Movement:	
Speed limit	
Yellow Interval:	
Verified by	
Date	

Attachment C

California Vehicle Code Automated Enforcement Relevant Sections

21455.5. (a) The limit line, the intersection, or a place designated in Section 21455, where a driver is required to stop, may be equipped with an automated enforcement system if the governmental agency utilizing the system meets all of the following requirements:

(1) Identifies the system by signs that clearly indicate the system's presence and are visible to traffic approaching from all directions, or posts signs at all major entrances to the city, including, at a minimum, freeways, bridges, and state highway routes.

(2) If it locates the system at an intersection, and ensures that the system meets the criteria specified in Section 21455.7.

(b) Prior to issuing citations under this section, a local jurisdiction utilizing an automated traffic enforcement system shall commence a program to issue only warning notices for 30 days. The local jurisdiction shall also make a public announcement of the automated traffic enforcement system at least 30 days prior to the commencement of the enforcement program.

(c) Only a governmental agency, in cooperation with a law enforcement agency, may operate an automated enforcement system. As used in this subdivision, "operate" includes all of the following activities:

(1) ~~Developing uniform guidelines for screening and issuing violations and for the processing and storage of confidential information, and establishing procedures to ensure compliance with those guidelines.~~

(2) ~~Performing administrative functions and day-to-day functions, including, but not limited to, all of the following:~~

~~(A) Establishing guidelines for selection of location.~~

~~(B) Ensuring that the equipment is regularly inspected.~~

~~(C) Certifying that the equipment is properly installed and calibrated, and is operating properly.~~

~~(D) Regularly inspecting and maintaining warning signs placed under paragraph (1) of subdivision (a).~~

~~(E) Overseeing the establishment or change of signal phases and the timing thereof.~~

~~(F) Maintaining controls necessary to assure that only those citations that have been reviewed and approved by law enforcement are delivered to violators.~~

(d) The activities listed in subdivision (c) that relate to the operation of the system may be contracted out by the governmental agency, if it maintains overall control and supervision of the system. **However, the activities listed in paragraph (1) of, and subparagraphs (A), (D), (E), and (F) of paragraph (2) of, subdivision (c) may not be contracted out to the manufacturer or supplier of the automated enforcement system.**

(e) (1) Notwithstanding Section 6253 of the Government Code, or any other provision of law, photographic records made by an automated enforcement system shall be confidential, and shall be made available only to governmental agencies and law enforcement agencies and only for the purposes of this article.

(2) Confidential information obtained from the Department of Motor Vehicles for the administration or enforcement of this article shall be held confidential, and may not be used for any other purpose.

(3) Except for court records described in Section 68152 of the Government Code, the confidential records and information described in paragraphs (1) and (2) may be retained for up to six months from the date the information was first obtained, or until final disposition of the citation, whichever date is later, after which time the information shall be destroyed in a manner that will preserve the confidentiality of any person included in the record or information.

(f) Notwithstanding subdivision (d), the registered owner or any individual identified by the registered owner as the driver of the vehicle at the time of the alleged violation shall be permitted to review the photographic evidence of the alleged violation.

(g) (1) A contract between a governmental agency and a manufacturer or supplier of automated enforcement equipment may not include provision for the payment or compensation to the manufacturer or supplier based on the number of citations generated, or as a percentage of the revenue generated, as a result of the use of the equipment authorized under this section.

(2) Paragraph (1) does not apply to a contract that was entered into by a governmental agency and a manufacturer or supplier of automated enforcement equipment before January 1, 2004, unless that contract is renewed, extended, or amended on or after January 1, 2004.

21455.5. (a) The limit line, the intersection, or a place designated in Section 21455, where a driver is required to stop, may be equipped with an automated traffic enforcement system if the governmental agency utilizing the system meets all of the following requirements:

(1) Identifies the system by signs posted within 200 feet of an intersection where a system is operating that clearly indicate the system's presence and are visible to traffic approaching from all directions in which the automated traffic enforcement system is being utilized to issue citations. A governmental agency utilizing such a system does not need to post signs visible to traffic approaching the intersection from directions not subject to the automated traffic enforcement system. Automated traffic enforcement systems installed as of January 1, 2013, shall be identified no later than January 1, 2014.

(2) Locates the system at an intersection and ensures that the system meets the criteria specified in Section 21455.7.

(b) Prior to issuing citations under this section, a local jurisdiction utilizing an automated traffic enforcement system shall commence a program to issue only warning notices for 30 days. The local jurisdiction shall also make a public announcement of the automated traffic enforcement system at least 30 days prior to the commencement of the enforcement program.

(c) Only a governmental agency, in cooperation with a law enforcement agency, may operate an automated traffic enforcement system. A governmental agency that operates an automated traffic enforcement system shall do all of the following:

(1) Develop uniform guidelines for screening and issuing violations and for the processing and storage of confidential information, and establish procedures to ensure compliance with those guidelines. For systems installed as of January 1, 2013, a governmental agency that operates an automated traffic enforcement system shall establish those guidelines by January 1, 2014.

(2) Perform administrative functions and day-to-day functions, including, but not limited to, all of the following:

(A) Establishing guidelines for the selection of a location. Prior to installing an automated traffic enforcement system after January 1, 2013, the governmental agency shall make and adopt a finding of fact establishing that the system is needed at a specific location for reasons related to safety.

(B) Ensuring that the equipment is regularly inspected.

(C) Certifying that the equipment is properly installed and calibrated, and is operating properly.

(D) Regularly inspecting and maintaining warning signs placed under paragraph (1) of subdivision (a).

(E) Overseeing the establishment or change of signal phases and the timing thereof.

(F) Maintaining controls necessary to ensure that only those citations that have been reviewed and approved by law enforcement are delivered to violators.

(d) The activities listed in subdivision (c) that relate to the operation of the system may be contracted out by the governmental agency, if it maintains overall control and supervision of the system. However, the activities listed in paragraph (1) of, and subparagraphs (A), (D), (E), and (F) of paragraph (2) of, subdivision (c) shall not be contracted out to the manufacturer or supplier of the automated traffic enforcement system.

(e) The printed representation of computer-generated information, video, or photographic images stored by an automated traffic enforcement system does not constitute an out-of-court hearsay statement by a declarant under Division 10 (commencing with Section 1200) of the Evidence Code.

(f) (1) Notwithstanding Section 6253 of the Government Code, or any other law, photographic records made by an automated traffic enforcement system shall be confidential, and shall be made available only to governmental agencies and law enforcement agencies and only for the purposes of this article.

(2) Confidential information obtained from the Department of Motor Vehicles for the administration or enforcement of this article shall be held confidential, and shall not be used for any other purpose.

(3) Except for court records described in Section 68152 of the Government Code, the confidential records and information described in paragraphs (1) and (2) may be retained for up to six months from the date the information was first obtained, or until final disposition of the citation, whichever date is later, after which time the information shall be destroyed in a manner that will preserve the confidentiality of any person included in the record or information.

(g) Notwithstanding subdivision (f), the registered owner or any individual identified by the registered owner as the driver of the vehicle at the time of the alleged violation shall be permitted to review the photographic evidence of the alleged violation.

(h) (1) A contract between a governmental agency and a manufacturer or supplier of automated traffic enforcement equipment shall not include provision for the payment or compensation to the manufacturer or supplier based on the number of citations generated, or as a percentage of the revenue generated, as a result of the use of the equipment authorized under this section.

(2) Paragraph (1) does not apply to a contract that was entered into by a governmental agency and a manufacturer or supplier of automated traffic enforcement equipment before January 1, 2004, unless that contract is renewed, extended, or amended on or after January 1, 2004.

(3) A governmental agency that proposes to install or operate an automated traffic enforcement system shall not consider revenue generation, beyond recovering its actual costs of operating the system, as a factor when considering whether or not to install or operate a system within its local jurisdiction.

(i) A manufacturer or supplier that operates an automated traffic enforcement system pursuant to this section shall, in cooperation with the governmental agency, submit an annual report to the Judicial Council that includes, but is not limited to, all of the following information if this information is in the possession of, or readily available to, the manufacturer or supplier:

- (1) The number of alleged violations captured by the systems they operate.
- (2) The number of citations issued by a law enforcement agency based on information collected from the automated traffic enforcement system.
- (3) For citations identified in paragraph (2), the number of violations that involved traveling straight through the intersection, turning right, and turning left.
- (4) The number and percentage of citations that are dismissed by the court.
- (5) The number of traffic collisions at each intersection that occurred prior to, and after the installation of, the automated traffic enforcement system.
- (j) If a governmental agency utilizing an automated traffic enforcement system has posted signs on or before January 1, 2013, that met the requirements of paragraph (1) of subdivision (a) of this section, as it read on January 1, 2012, the governmental agency shall not remove those signs until signs are posted that meet the requirements specified in this section, as it reads on January 1, 2013.

(Amended by Stats. 2012, Ch. 735, Sec. 3. Effective January 1, 2013.)

21455.6. (a) A city council or county board of supervisors shall conduct a public hearing on the proposed use of an automated enforcement system authorized under Section **21455.5** prior to authorizing the city or county to enter into a contract for the use of the system.

(b) (1) The activities listed in subdivision (c) of Section **21455.5** that relate to the operation of an automated enforcement system may be contracted out by the city or county, except that the activities listed in paragraph (1) of, and subparagraphs (A), (D), (E), or (F) of paragraph (2) of, subdivision (c) of Section **21455.5** may not be contracted out to the manufacturer or supplier of the automated enforcement system.

(2) Paragraph (1) does not apply to a contract that was entered into by a city or county and a manufacturer or supplier of automated enforcement equipment before January 1, 2004, unless that contract is renewed, extended, or amended on or after January 1, 2004.

(c) The authorization in Section **21455.5** to use automated enforcement systems does not authorize the use of photo radar for speed enforcement purposes by any jurisdiction.

21455.7. (a) At an intersection at which there is an automated enforcement system in operation, the minimum yellow light change interval shall be established in accordance with the Traffic Manual of the Department of Transportation.

(b) For purposes of subdivision (a), the minimum yellow light change intervals relating to designated approach speeds provided in the Traffic Manual of the Department of Transportation are mandatory minimum yellow light intervals.

(c) A yellow light change interval may exceed the minimum interval established pursuant to subdivision (a).

24. Proof of the giving of notice may be made by the certificate of any officer, employee, or agent of the Department of Motor Vehicles and the Department of the California Highway Patrol or of any peace officer, or by an affidavit of any person over 18 years of age, naming the person to whom the notice was given and specifying the time, place, and manner of the giving of the notice.

210. An "automated enforcement system" is any system operated by a governmental agency, in cooperation with a law enforcement agency, that photographically records a driver's responses to a rail or

rail transit signal or crossing gate, or both, or to an official traffic control signal described in Section 21450, and is designed to obtain a clear photograph of a **vehicle's** license plate and the driver of the **vehicle**.

40518. (a) Whenever a written notice to appear has been issued by a peace officer or by a qualified employee of a law enforcement agency on a form approved by the Judicial Council for an alleged violation of Section 22451, or, based on an alleged violation of Section 21453, 21455, or 22101 recorded by an automated enforcement system pursuant to Section 21455.5 or 22451, and delivered by mail within 15 days of the alleged violation to the current address of the registered owner of the **vehicle** on file with the department, with a certificate of mailing obtained as evidence of service, an exact and legible duplicate copy of the notice when filed with the magistrate shall constitute a complaint to which the defendant may enter a plea. Preparation and delivery of a notice to appear pursuant to this section is not an arrest.

(b) A notice to appear shall contain the name and address of the person, the license plate number of the person's **vehicle**, the violation charged, including a description of the offense, and the time and place when, and where, the person may appear in court or before a person authorized to receive a deposit of bail. **The time specified shall be at least 10 days after the notice to appear is delivered.**

40520. (a) A notice to appear issued pursuant to Section 40518 for an alleged violation recorded by an automatic enforcement system shall contain, or be accompanied by, an affidavit of nonliability and information as to what constitutes nonliability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the issuing agency.

(b) (1) If a notice to appear is sent to a car rental or leasing company, as the registered owner of the **vehicle**, the company may return the notice of nonliability pursuant to paragraph (2), if the violation occurred when the **vehicle** was either leased or rented and operated by a person other than an employee of the rental or leasing company.

(2) If the affidavit of nonliability is returned to the issuing agency by the registered owner within 30 days of the mailing of the notice to appear together with the proof of a written rental agreement or lease between a bona fide renting or leasing company and its customer and that agreement identifies the renter or lessee and provides the driver's license number, name, and address of the renter or lessee, the agency shall cancel the notice for the registered owner to appear and shall, instead, issue a notice to appear to the renter or lessee identified in the affidavit of nonliability.

(c) Nothing in this section precludes an issuing agency from establishing a procedure whereby registered owners, other than bona fide renting and leasing companies, may execute an affidavit of nonliability if the registered owner identifies the person who was the driver of the **vehicle** at the time of the alleged violation and whereby the issuing agency issues a notice to appear to that person.

40802. (a) A "speed trap" is either of the following:

(1) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a **vehicle** may be calculated by securing the time it

takes the **vehicle** to travel the known distance.

(2) A particular section of a highway with a prima facie speed limit that is provided by this **code** or by local ordinance under subparagraph (A) of paragraph (2) of subdivision (a) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within five years prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects. This paragraph does not apply to a local street, road, or school zone.

(b) (1) For purposes of this section, a local street or road is defined by the latest functional usage and federal-aid system maps submitted to the federal Highway Administration, except that when these maps have not been submitted, or when the street or road is not shown on the maps, a "local street or road" means a street or road that primarily provides access to abutting residential property and meets the following three conditions:

(A) Roadway width of not more than 40 feet.

(B) Not more than one-half of a mile of uninterrupted length. Interruptions shall include official traffic control signals as defined in Section 445.

(C) Not more than one traffic lane in each direction.

(2) For purposes of this section "school zone" means that area approaching or passing a school building or the grounds thereof that is contiguous to a highway and on which is posted a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. "School zone" also includes the area approaching or passing any school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children if that highway is posted with a standard "SCHOOL" warning sign.

(c) (1) When all of the following criteria are met, paragraph (2) of this subdivision shall be applicable and subdivision (a) shall not be applicable:

(A) When radar is used, the arresting officer has successfully completed a radar operator course of not less than 24 hours on the use of police traffic radar, and the course was approved and certified by the Commission on Peace Officer Standards and Training.

(B) When laser or any other electronic device is used to measure the speed of moving objects, the arresting officer has successfully completed the training required in subparagraph (A) and an additional training course of not less than two hours approved and certified by the Commission on Peace Officer Standards and Training.

(C) (i) The prosecution proved that the arresting officer complied with subparagraphs (A) and (B) and that an engineering and traffic survey has been conducted in accordance with subparagraph (B) of paragraph (2). The prosecution proved that, prior to the officer issuing the notice to appear, the arresting officer established that the radar, laser, or other electronic device conformed to the requirements of subparagraph (D).

(ii) The prosecution proved the speed of the accused was unsafe for the conditions present at the time of alleged violation unless the citation was for a violation of Section 22349, 22356, or 22406.

(D) The radar, laser, or other electronic device used to measure the speed of the accused meets or exceeds the minimal operational standards of the National Traffic Highway Safety Administration, and has been calibrated within the three years prior to the date of the alleged violation by an independent certified laser or radar repair and testing or calibration facility.

(2) A "speed trap" is either of the following:

(A) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a **vehicle** may be calculated by securing the time it takes the **vehicle** to travel the known distance.

(B) (i) A particular section of a highway or state highway with a prima facie speed limit that is provided by this **code** or by local ordinance under subparagraph (A) of paragraph (2) of subdivision (a) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within one of the following time periods, prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects:

(I) Except as specified in subclause (II), seven years.

(II) If an engineering and traffic survey was conducted more than seven years prior to the date of the alleged violation, and a registered engineer evaluates the section of the highway and determines that no significant changes in roadway or traffic conditions have occurred, including, but not limited to, changes in adjoining property or land use, roadway width, or traffic volume, 10 years.

(ii) This subparagraph does not apply to a local street, road, or school zone.

40803. (a) No evidence as to the speed of a **vehicle** upon a highway shall be admitted in any court upon the trial of any person in any prosecution under this **code** upon a charge involving the speed of a **vehicle** when the evidence is based upon or obtained from or by the maintenance or use of a speedtrap.

(b) In any prosecution under this **code** of a charge involving the speed of a **vehicle**, where enforcement involves the use of radar or other electronic devices which measure the speed of moving objects, the prosecution shall establish, as part of its prima facie case, that the evidence or testimony presented is not based upon a speedtrap as defined in paragraph (2) of subdivision (a) of Section **40802**.

(c) When a traffic and engineering survey is required pursuant to paragraph (2) of subdivision (a) of Section **40802**, evidence that a traffic and engineering survey has been conducted within five years of the date of the alleged violation or evidence that the offense was committed on a local street or road as defined in paragraph (2) of subdivision (a) of Section **40802** shall constitute a prima facie case that the evidence or testimony is not based upon a speedtrap as defined in paragraph (2) of subdivision (a) of Section **40802**.

40804. (a) In any prosecution under this **code** upon a charge involving the speed of a **vehicle**, any officer or other person shall be incompetent as a witness if the testimony is based upon or obtained from or by the maintenance or use of a speed trap.

(b) Every officer arresting, or participating or assisting in the arrest of, a person so charged while on duty for the exclusive or main purpose of enforcing the provisions of Divisions 10 and 11 is incompetent as a witness if at the time of such arrest he was not wearing a distinctive uniform, or was using a motor **vehicle** not painted the distinctive color specified by the commissioner.

This section does not apply to an officer assigned exclusively to the duty of investigating and securing evidence in reference to any theft of a **vehicle** or failure of a person to stop in the event of an accident or violation of Section 23109 or in reference to any felony charge or to any officer engaged in serving any warrant when the officer is not engaged in patrolling the highways for the purpose of enforcing the traffic laws.

40504. (a) The officer shall deliver one copy of the notice to appear to the arrested person and the arrested person in order to secure release must give his or her written promise to appear in court or before a person authorized to receive a deposit of bail by signing two copies of the notice which shall be retained by the officer, and the officer may require the arrested person, if this person has no satisfactory identification, to place a right thumbprint, or a left thumbprint or fingerprint if the person has a missing or disfigured right thumb, on the notice to appear. Thereupon, the arresting officer shall forthwith release the person arrested from custody. Except for law enforcement purposes relating to the identity of the arrestee, no person or entity may sell, giveaway, allow the distribution of, include in a database, or create a database with, this print.



City of Redding

Business Rules & Related Documentation

DOCUMENT SIGNOFF



After formally reviewing all documents, please check the appropriate box:

COMPLETE – all documents meet the requirements as defined by the customer.

OR

FOLLOW-UP ACTION is required, but no further formal meeting will be necessary. Please note changes below and/or attach revisions:

Document	Page No. & Item	Requested Change

You may also e-mail revisions to: jbernard@redflex.com.

OR

FOLLOW-UP MEETING is requested to review these documents.

COMMENTS:

Project Manager Signature **Date**

Redding Representative Signature **Date**
Business Rules **City of Redding**
Doc No. 3039-001-V1.10 **© 2007 Redflex**

F-86.4 RED LIGHT PHOTO ENFORCEMENT PROGRAM

Last revised: February 18, 2014

Date Issued: August 5, 2009

POLICY

1. It is the policy of the Redding Police Department to use a Red Light Photo Enforcement System where necessary, to improve traffic safety and reduce collisions, injuries, and fatalities.

PROCEDURES

2. The Redding Police Department Traffic Lieutenant is responsible for the Red Light Photo Enforcement Program. The Redding Police Department Traffic Supervisor is responsible for the daily operations of the Red Light Photo Enforcement Program. The Redding Police Department shall maintain overall control and supervision of the system per Vehicle Code 21455.5(d). Only Red Light Enforcement Specialists and other personnel trained in the use of the system are authorized to issue citations arising from the use of red light photo enforcement cameras.
3. Redding Police Department is under contract with Redflex Traffic Systems to solely provide equipment and data processing of potential red light violations at intersections selected by the City of Redding. The vendor shall have no responsibility for traffic enforcement in the City of Redding.
4. All requests for information regarding the Red Light Photo Enforcement Program will be referred to the Traffic Supervisor or their designee.
5. Notwithstanding Section 6253 of the Government Code, or any other provision of law, photographic records made by an automated enforcement system shall be confidential and shall be made available only to governmental agencies and law enforcement agencies per Vehicle Code 21455.5(e)(1).
6. Confidential information obtained from the Department of Motor Vehicles for the administration or enforcement of this system shall be held confidential, and may not be used for any other purpose per Vehicle Code 21455.5(e)(2).
7. Except for court records described in Section 68152 of the Government Code, Redflex will destroy all records three years following receipt of information relating to any incident/violation unless otherwise instructed by the Redding Police Department, or by using the "HOLD" flag in the Violation Authorization module. Upon placement of the "HOLD" flag,

- Redflex will continue to retain the information until such time as otherwise instructed by the Redding Police Department. Without this instruction, "HOLD" flag or disposition information, Redflex will set the purge date six months from the date of receipt. Once this data is purged, it cannot be retrieved. The confidential records and information described above shall be destroyed in a manner that will preserve the confidentiality of any person included in the record or information per Vehicle Code 21455.5(e) (3).
8. Photographs used outside of the Redding Police Department for evidence purposes for violations of Vehicle Code 21453(a) and 21453(c) shall have the faces of all passengers blocked out so they are not recognizable in the photographs.
 9. At red light photo enforced intersections, the following photographic evidence must exist for a red light violation to be considered:
 - A. Photograph of vehicle prior to the limit line with the red light signal phase also showing in the photograph.
 - B. Photograph depicting the license plate of the violating vehicle.
 - C. Photograph of the driver of the vehicle.
 - D. Photograph of the vehicle beyond the limit line with the red light signal phase also showing in the photograph.
 10. In the event all criteria are met, the reviewer may utilize the computer program to issue the citation. Drivers of authorized emergency vehicles engaged in an emergency response as allowed by the California Vehicle Code will not be subject to citations from the Red Light Photo Enforcement Program.
 11. When a police officer witnesses a violation of Vehicle Code 21453(a) or 21453(c) at a red light photo enforced intersection, the officer may initiate an enforcement stop to detain the driver for the violation. If no citation is issued, the officer shall complete a field interview card and forward the information to the Traffic Supervisor. If a citation is issued or other enforcement activity is initiated, a copy of the citation or report shall be forwarded to the Traffic Supervisor to ensure a duplicate citation is not issued by the Red Light Enforcement Specialist.

DUTIES OF THE RED LIGHT ENFORCEMENT SPECIALIST

12. Red Light Enforcement Specialists are assigned to the Traffic Unit, under the command of the Field Operations Division. The duties of the Red Light Enforcement Specialist are:
 - A. Review red light camera violations and issue traffic citations.
 - B. Prepare and present court cases when subpoenaed.
 - C. Meet with citizens during office hours to discuss and/or show video evidence.
 - D. Return phone messages and voice mails.
 - E. Perform miscellaneous duties as directed by the Traffic Unit Supervisor.

13. Red Light Enforcement Specialists are expected to:
 - A. Inform supervisors regarding work progress, problems that arise, unusual circumstances, potential liability issues, and issues concerning the Police Department and/or Red Light Photo Enforcement Program.
 - B. Notify supervisor of any change in working hours. Arrive for duty on time and prepared for work. Do not loiter or socialize excessively. Keep on task.
 - C. Keep work area clean and orderly.
 - D. Maintain acceptable grooming and uniform standards.
 - E. Maintain proper interpersonal skills which foster good internal and external relations.
 - F. Wear professional business attire for court appearances.
 - G. Conform to State and Federal laws as they relate to concealed weapons.

- H. Be familiar with and adhere to City of Redding policies regarding civilian and unrepresented employees.

A handwritten signature in black ink, appearing to read 'R.F. Paoletti', written in a cursive style.

Robert F. Paoletti
Chief of Police