

# Red-light cam loses in court

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BULLOCK

A judge has thrown out a ticket from a San Mateo red-light camera after a lawyer argued that the city's contract with the firm that operates the camera is illegal.

"I'm very happy about it," Al Bullock said yesterday after learning he won't have to pay a \$387

## Lawyer argued city's contract with camera operator is illegal

ticker.

Assistant City Attorney Bahar Abdollahi said she hadn't seen the ruling and couldn't comment.

Bullock, a retired KGO-TV photo-

grapher who lives in Belmont, got the ticket last year for allegedly failing to stop when the right-turn light turned red at the intersection

of Saratoga Drive and East Hills-

dale Boulevard, near Whole Foods Market in San Mateo.

Bullock's lawyer, Frank A. Iwama, asked the San Mateo Superior Court Traffic Commissioner Susan L. Greenberg to throw out the case on the grounds that the city's contract with Redflex, the Australian company that operates the camera, [See CAMERA, page 35]

violated California law.

The law says that a company like Redflex can't charge San Mateo based on the number of tickets the camera issues.

In the contract, Redflex charges the city a flat fee of \$6,030 per month, but it also guarantees that the city won't have to pay the monthly fee unless fines generated by the camera exceed the flat fee.

Iwama, in his legal brief, quoted the legislator who wrote the law, Assemblywoman Jenny Oropieza, D-Long Beach (now a state Senator). She said during the debate that led to the law, "Paying red-light camera vendors based on the number of tickets issued undermines the public's trust and raises concerns that these systems can be manipulated for profit."

### Bullock won his appeal

However, Traffic Commissioner Susan Greenberg wasn't impressed by the argument and refused to dismiss the case.

Iwama appealed to San Mateo County Superior Court Judge Mark Forcum, who oversees traffic court. Forcum, in a one-word decision, "reversed" her ruling, which means the ticket has been thrown out.

Bullock, who has fought the ticket for a year, was pleased to hear Judge Forcum's decision.

"It finally got to a real judge, not somebody impersonating a real judge," Bullock said.

"I'm retired and I've got the time, but it wasted a lot of time ... I spent more time sitting in courtrooms, watching people get overtime," he said.

### Ruling may soon apply to others

Forcum's decision cannot yet be used by others who have received red-light tickets because it is "unpublished," meaning it isn't officially considered a precedent. However, Iwama said he will ask the judge to elaborate on the ruling beyond his one word, and to have the ruling published so it can be used by others receiving red-light tickets.

Abdollahi, the assistant city attorney, said the city's contract with Redflex expired in May and that the city has two one-year options. She said the city is in talks with the company to modify the contract, but that those changes have nothing to do with Bullock's case.

She said police have no plans to discontinue issuing tickets from red-light cameras.