

# **RED means STOP**

## **Hialeah's Traffic Light Safety Program Frequently Asked Questions**

### ***Why did I receive this Notice of Violation?***

Based upon images captured by the automated system, your vehicle was determined to have committed a red light violation. Your vehicle was observed by a traffic infraction detector failing to comply with a steady red light signal, in violation of Florida Statutes §§ 316.0083, 316.074(1) and 316.075(1)(c)1, at the intersection, date, and time stated on the front page of this Notice. This is a non-criminal infraction of state law. As the owner of the vehicle, the Notice of Violation is mailed to you. For every violation captured by the cameras, the images and video are reviewed and approved by the Hialeah Police Department before a Notice of Violation is issued and mailed to the vehicle's registered owner.

### ***What is a red-light running violation?***

A red-light running violation occurs when a motorist enters an intersection after the traffic signal has turned red. Motorists already in the intersection when the signal changes to red, waiting to turn for example, are not considered red-light violators.

### ***Why has the City of Hialeah implemented a Traffic Light Safety Camera Program?***

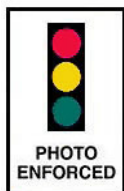
According to the Insurance Institute for Highway Safety, nearly 2 million crashes annually occur in intersections. In 2007, red-light running resulted in almost 900 fatalities and 153,000 injuries.

Red-light running is a problem. It is believed that an automated red-light camera program will reduce the number of red-light collisions and injuries associated with these crashes. The purpose of this program is to increase traffic safety in Hialeah. The goal of the program is to reduce red-light running violations, crashes, and injuries without impacting city funds.

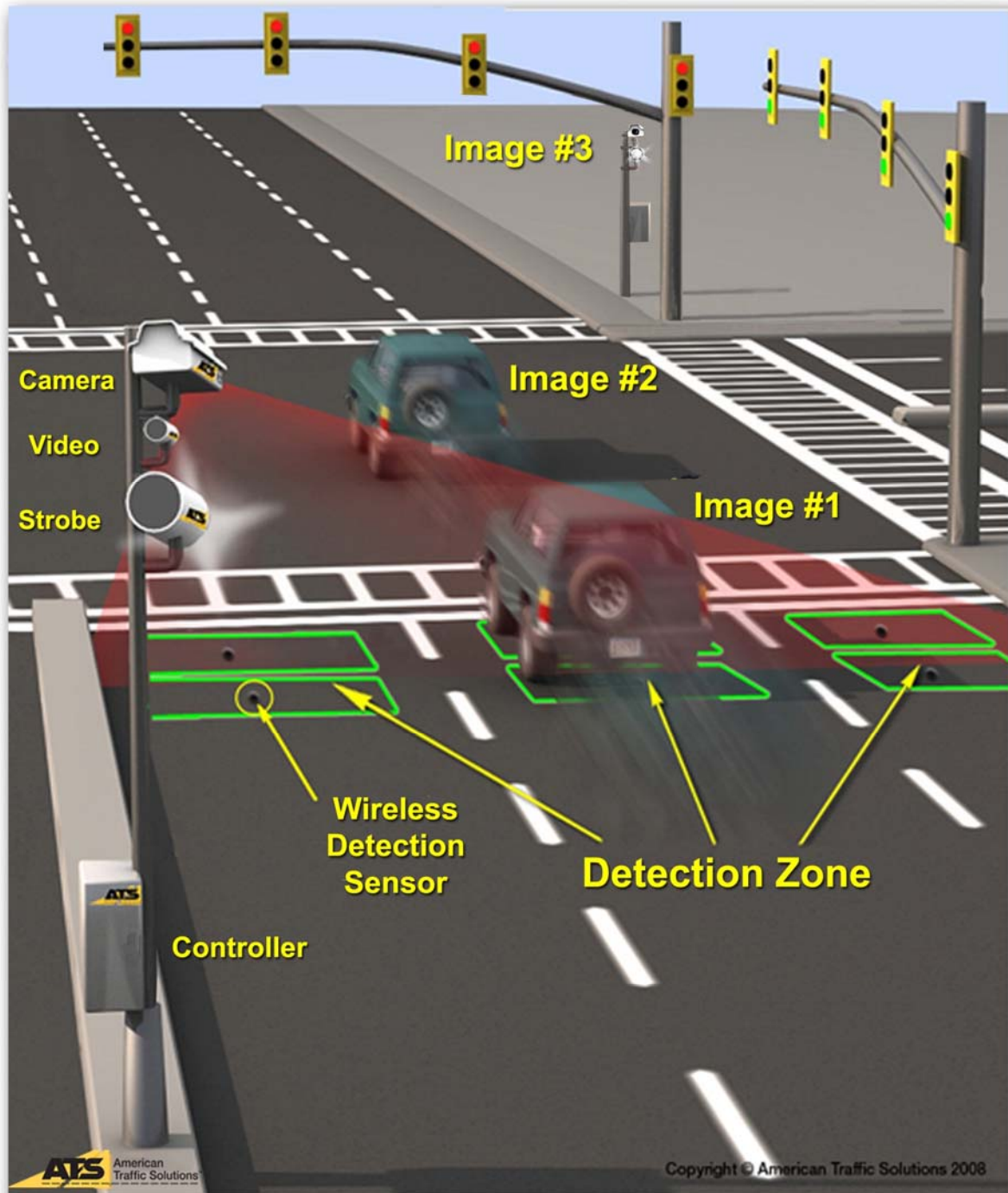
### ***Where are the red-light cameras located?***

Red-light cameras have been installed at various intersections in Hialeah where the Police Department has determined would make the greatest impact on improving driver safety while decreasing traffic crashes.

Each Intersection is clearly marked with signs.



## How does the red-light camera work?



- The system activates when motion is detected just prior to the stop bar AFTER the traffic signal has turned red. The cameras capture two images of an alleged violation, taken from the rear of the vehicle.
- The first image shows the vehicle at the white stop bar and the illuminated red light.
- The second image shows the violator in the middle of the intersection with the red light illuminated.

- The license plate image is a close-up from one of the images captured.
- Data, including the time, date, and duration of the yellow and red lights, also is recorded.
- Cameras also record a 12-second digital video of the violation, including six seconds prior to and six seconds after running the red light.

### ***Why does the camera flash when no one actually runs the red light?***

The red-light camera system is designed to take two rear photographs of a vehicle that may be committing a violation. The first rear image captures the vehicle prior to entering the intersection with the traffic signal red, and the second image shows the vehicle continuing through the intersection during the red signal phase.

On occasion, a vehicle approaching an intersection with a red light may come to a stop before entering the intersection yet trigger the red-light camera system, causing the flash to discharge. In addition, a vehicle approaching the intersection and making a right turn may not come to a complete stop but only slow before continuing to turn, triggering the red-light camera system and causing the flash to discharge.

The Police Department reviews each violation event captured by the red-light camera system and makes the final decision to issue a citation. Not all flash incidents equate to a citation; however, the imaging results in 80%+ accuracy in identifying excessive speed approaches.

### ***If I am in the intersection when the light is yellow and the light changes to red, will I receive a Notice of Violation/Infraction?***

No. The automated camera system only becomes active once the red light is showing. It will not capture a vehicle if the vehicle enters the intersection prior to the light changing to red. If you entered the intersection on yellow, it is legal to clear the intersection if the light turned red while you were still in the intersection.

### ***Are Red-Light cameras used to enforce Right Turns on Red?***

Yes, because illegal right turns on a red light can be very dangerous to not only on-coming traffic, but to pedestrians and bicyclists crossing the street.

Although Florida State Statute does not authorize citations be issued to drivers for “failure to stop at a red light”, it does however require they make the turn in a “**careful and prudent** manner.”

CS/CS/HB 325, lines 160-163, read as follows:

*“A notice of violation and a traffic citation may not be issued for failure to stop at a red light if the driver is making a right-hand turn in a **careful and prudent** manner at an intersection where right-hand turns are permissible.”*

The term “**careful and prudent**” is defined in FS 316.1925 as follows:

Careless driving.—

*(1) Any person operating a vehicle upon the streets or highways within the state shall drive the same in a **careful and prudent** manner, having regard for the width, grade, curves, corners, traffic, and all other attendant circumstances, so as*

not to endanger the life, limb, or property of any person. Failure to drive in such manner shall constitute careless driving and a violation of this section.

(2) Any person who violates this section shall be cited for a moving violation, punishable as provided in chapter 318

A trained law enforcement or traffic infraction enforcement officer will have the ability to review the digital images and video prior to issuing a Notice of Violation. Based on the Officer's training and understanding of the law, the Officer will make a determination if a violation occurred when a vehicle fails to come to a complete stop prior to making a right turn on a red light.

### ***How much is the fine?***

The fine is **\$158.00** for each offense.

### ***How much time do I have to pay my Notice of Violation?***

You must pay the civil penalty on or before the due date on your Notice of Infraction. The due date for payment is located on the top and bottom right of your Notice of Infraction.

### **What are my options?**

#### **Pay the fine**

**Pay Online:** Log on to [www.ViolationInfo.com](http://www.ViolationInfo.com) by entering your Notice number and PIN number shown in the red box on the front right of your Notice.

Click the Pay button.

There is a convenience fee of \$4.00, which will be assessed at the time of payment.

**Pay by Mail:** Mail your check or money order, payable to City of Hialeah, in the enclosed envelope along with the coupon printed at the bottom of the notice. Write the Notice number and the license plate number on your check or money order. **DO NOT MAIL CASH.**

The mailing address is:

**City of Hialeah  
Intersection Safety Program  
P.O. Box 22091  
Tempe, AZ 85285-2091**

**Pay by phone with Credit Card:** Call toll free 1-866-225-8875 between the hours of 8:00 a.m. to 5:00 p.m., Monday-Friday. There is a convenience fee of \$4.00 that will be assessed at the time of payment.

**If you have any questions, please call Customer Service toll free at: 1-866-225-8875.**

The image shows a screenshot of the ViolationInfo.com website. At the top, the text 'ViolationInfo.com' is displayed in a large blue font. Below this is a blue header with the instruction 'Enter your Notice # and Pin #, then press Login:'. Underneath the header, there are two text input fields: one for 'Notice #' and one for 'PIN #'. Below the 'PIN #' field, there is a blue 'Login' button and a small 'help' link. In the bottom right corner of the page, there is a 'Privacy Policy' link and a logo for 'Axis VPS VIOLATION PROCESSING SYSTEM'.

### ***What if I am not the driver/owner of the vehicle at the time of the violation?***

As the registered owner of the vehicle, you are deemed responsible for the violation and the payment the penalty unless, in compliance with Florida Statute § 316.0083(1)(d)1.a-d, you establish by a sworn affidavit that a statutory exemption applies.

#### **The exemptions are that the motor vehicle:**

- (a)** passed through the intersection in order to yield the right-of-way to an emergency vehicle or as part of a funeral procession;
- (b)** passed through the intersection at the direction of a law enforcement officer;
- (c)** was, at the time of the violation, in the care, custody, or control of another person; or
- (d)** a Uniform Traffic Citation was issued by a law enforcement officer to the driver of the motor vehicle for the violation of Florida Statute § 316.074(1) and § 316.075(1)(c)1 stated in this Notice.

#### **The affidavit must be sworn before a notary public or other person authorized to administer oaths.**

If you assert that the vehicle was in the care, custody, or control of another person, you must provide the name, address, date of birth, and, if known, the driver's license number of the person who leased, rented, or otherwise had care, custody, or control of the vehicle at the time of the violation. ACCEPTANCE OF THIS ASSERTION BY THE HIALEAH POLICE DEPARTMENT WILL RESULT IN THE ISSUANCE OF A UNIFORM TRAFFIC CITATION TO THE PERSON NAMED IN THE AFFIDAVIT.

If the vehicle was stolen, then the affidavit must include a copy of a police report showing the vehicle to have been stolen. If you assert that a Uniform Traffic Citation was issued by a law enforcement officer for the violation of Florida Statute § 316.074(1) and 316.075(1)(C)1 stated in this notice, then you must include the serial number of the Uniform Traffic Citation.

For faster processing, you may, but are not required to, include a copy of the Uniform Traffic Citation.

You may print the form **Affidavit of Non-Responsibility** available at [www.violationinfo.com](http://www.violationinfo.com)

### ***What happens if I ignore the Notice of Violation/Infraction?***

Failure to pay the civil will result in a Uniform Traffic Citation to be issued to you. The fine amount under the Florida statute for a Uniform Traffic Citation is \$258.00 and you may become responsible for court fees and costs. You will be able to have a hearing before a designated official upon issuance of a Uniform Traffic Citation. If the official concludes that no infraction has been committed, no costs or penalties shall be imposed.

If the official concludes that an infraction has been committed, the official may impose an additional civil penalty not to exceed \$500 and court fees and costs.

### ***Will I receive any points on my driving record for this violation?***

No, this is a non-criminal infraction that is not reported to the Florida Department of Motor vehicles.

### ***Will my insurance rates be affected?***

No, this is a non-criminal infraction and is not reported to any insurance agencies.

### ***Will the red light cameras take a picture of the driver of the vehicle?***

No. A violation of Florida Statutes §§ 316.0083, 316.074(1) and 316.075(1)(c)1 is a civil violation assessed against the owner of the vehicle; it is not a criminal violation. Similar to a parking ticket, there is no need to identify the driver and therefore, no need to capture the image of the driver.

### ***Is this only a revenue generating program?***

This is a safety program. Automated safety systems have been shown to reduce red light violations and intersection crashes. Numerous studies throughout the U.S. and worldwide, as well as the experience of many other cities, indicate significant decreases in red light running violations and collisions after cameras were installed. Often times, a spill-over effect results from automated enforcement: other intersections not monitored by automated enforcement also see a decrease in violations and accidents because of the presence of enforcement in other areas of the community.

### ***What if I was issued a citation from an officer for the same offense?***

The citation issued by a police officer takes precedence over the Notice of Violation. You must submit an affidavit with the serial number of the Uniform Traffic Citation that you received for violation of Florida Statute § 316.074(1) and 316.075(1)(C)1. For faster processing of the affidavit, you can include a copy of the Uniform Traffic Citation.

### ***How much time do I have to pay my Notice of Violation?***

You must pay the civil penalty on or before the due date on your Notice of Violation. The due date for payment is located on the top and bottom right of your Notice of Violation.

### ***What is the Refund Policy?***

A refund check may be issued under the following circumstances:

- Duplicate and/or overpayment of a Notice of Violation
- Overpayment of the Notice of Violation as a result of a Hearing or Appeal.

If you feel as though you are entitled to a refund, please submit your request on the **Red Light Refund Form** available at [www.violationinfo.com](http://www.violationinfo.com). Send the completed form to the address specified at the top of the form.

### ***I have received multiple Notices of Violation/Infraction; do I have to send in a payment for each?***

No, you may send one check in one envelope – but you must include coupons for each violation you received. If you received three violation notices, you may send in one check and three coupons but write each notice number on your check.

### ***Why if my check bounces?***

You will be responsible for a returned check fee of \$25.00 for handling the bounced check – in addition to any late fees and the original fine amount.

### ***Can I make payments in installments or set up a payment plan?***

Payment plans are not available.

### ***I paid the violation; why did I receive another notice?***

The notice you just received could be for additional violations or it could be a Uniform Traffic Citation which is now a past due notice. If it is a past due notice, chances are that your payment and the notice crossed in the mail. It can take as many as 5 business days to show in the system once the payment is mailed.

**Call 1-866-225-8875 to confirm that your payment was received.**

### ***Do I have to pay my fine the day of the hearing?***

You must pay the full fine amount within 10 days of a liable judgment.

### ***What happens if I do not pay the Notice of Violation?***

A Uniform Traffic Citation will be issued to you by the State of Florida Department of Transportation.

### ***I do not believe I ran a red light. Where can I go to view my images and video?***

You can view your images on any computer with an Internet connection. Log on to [www.violationinfo.com](http://www.violationinfo.com). To log on to the site you must enter the Notice Number and the PIN Number located at the top right of your Notice of Violation. **If you do not have access to a computer with an internet connection you may go to any Hialeah Public Library, at no charge, and use a computer to view your video and images.**

### ***I don't believe I ran a red light and want to discuss my case with someone.***

If you choose to appear before an official of the county court or plead not guilty, do not respond to your **Notice of Violation**. You will receive a Uniform Traffic Citation within 60 days of the violation date via certified mail. Instructions will be provided to you by the Miami-Dade County Clerk's Office as to how you should proceed.

### ***How much do I have to pay for a Hearing?***

A person who is found liable after a Hearing can be liable for an additional penalty, courts costs and fees not to exceed \$500, in addition to the amount of the civil penalty assessed for the violation.

### ***Can I schedule a hearing?***

No, you cannot schedule a hearing. If you wish to have a hearing, do not respond to the **Notice of Violation**. A Uniform Traffic Citation will be issued with instructions on how to proceed for a hearing.

***Can I make a hearing request over the phone?***

No.

***Can someone other than me attend the hearing?***

Only you or your legal counsel may appear at an adjudicative hearing.

***Is there more than one place that I can attend my hearing?***

No.

***Can I bring a lawyer to the hearing with me?***

Yes.

***How do I know that these violations are valid?***

Images of your vehicle were captured and recorded by a Traffic Light Safety System. You can review your images and video of the actual occurrence online. The images and video were reviewed by several qualified technicians and finally by the Hialeah Police Department before the alleged civil infraction was affirmed and mailed to you as the registered owner or identified driver

***What if the camera was not working or it was defective?***

If you look at the front of the Notice of Violation – at the paragraph under the close-up of your license plate – the Hialeah Police Department states, in the first sentence, that the Traffic Light Safety System was operating correctly at the time of this violation.

You may view your images and video online at [www.violationinfo.com](http://www.violationinfo.com). You will need your Notice # and Pin # printed on the front of the Notice.

***What company provides the red light camera program in Hialeah?***

The City of Hialeah has contracted with American Traffic Solutions Inc. to provide the red light camera enforcement program. American Traffic Solutions will install and maintain all equipment related to this program and process all violations captured by the equipment.



*Please Drive Safely*