

GENERAL ORDERS | SOUTH MIAMI POLICE DEPARTMENT



G.O. Number: 29.7	Subject: Red Light Camera Safety Program	
Chapter: Red Light Camera Traffic Enforcement	Number of Pages: 5	
CFA Standard(s): N/A	Effective: October 01, 2024	
By Order of Chief of Police: Reo B. Hatfield III <i>Reo B. Hatfield</i>	Revised: N/A Status: New	

SECTIONS:

- 29.7.1 Intersection Selection for Red Light Cameras
- 29.7.2 Selection Criteria for Traffic Enforcement Officers
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- 29.7.5 South Miami City/Government Vehicles

RESCINDS: All existing orders in conflict.

PURPOSE: To establish the operational criteria of the South Miami Police Department Red Light Camera Safety Program.

SCOPE: All departmental personnel.

POLICY: The South Miami Police Department is committed to using a multi-faceted approach to increase and promote traffic safety with the City of South Miami. These strategies include infraction detectors to monitor established school speed zones for speeding violations. The South Miami Police Department has chosen to use image capture technologies as a supplemental means of monitoring compliance of F.S.S. 316.075(1)(c)1. Sworn law enforcement personnel or a certified traffic infraction enforcement officer shall review recorded images prior to the issuance of a Notice of Violation to ensure the accuracy and integrity of the recorded images. All violation notices will comply with F.S.S. 316.0083

DEFINITIONS:

- A. **Intersection:** Shall mean the area embraced within the prolongation or connection of the lateral curb lines; or, if none, then the lateral boundary lines of the roadways of two (2) highways that join one another at, or approximately at, right angles; or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. Where a highway includes two (2) roadways thirty (30) feet or more apart, every crossing of each roadway of such divided by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.
- B. **Notice of Violation:** An initial notice and fine issued for running a red light monitored by a red light camera system.
- C. **Registered Vehicle Owner:** The person or entity identified by the DHSMV or other state registration office as the registered owner of a vehicle. Such a term shall also mean a motor vehicle lessee pursuant to a lease agreement of six months or more.
- D. **Traffic Infraction Enforcement Officer (TIEO):** A sworn law enforcement officer or civilian employee who has successfully completed state-certified training before reviewing violations for prosecution.
- E. **Traffic Infraction Detector:** A device that uses a vehicle sensor installed to work in conjunction with a traffic control signal and a camera synchronized to automatically record two (2) or more sequenced photographic, electronic images, and a streaming video of only the rear of a motor vehicle at the time the vehicle failed to stop behind a clearly marked stop line when facing a traffic control signal with a steady red light.
- F. **Uniform Traffic Citation (UTC):** Formal citation issued from the vendor when the Notice of Violation has not been paid within a specified period. Additional cost and points to the driver's license occurs.
- F. **Vendor:** The company contracted by the City of South Miami to provide recorded images by a Traffic Infraction Detector including photographs, electronic/digital images displaying the motor vehicle's rear, clearly identifying the vehicle's license plate.

PROCEDURE:

29.7.1 Intersection Selection for Red Light Cameras

- A. The locations of camera installations shall be at the direction of the South Miami Commission, based on analysis and data of vehicle crashes.

29.7.2 Selection Criteria for Traffic Infraction Enforcement Officers

- A. The job-related selection criteria for the TIEO are identical to all sworn positions.

29.7.3 Procedures to Issue a Notice of Violation

- A. The Traffic Infraction Enforcement Officer will oversee the daily operations of the Red-Light Camera Enforcement Program.
 - 1. The TIEO shall review the recorded video and photographic images, provided by the vendor, to ensure that the vehicle proceeded through the intersection after the traffic signal turned red.
 - 2. If the recorded video and photographic images indicate that a red-light violation has occurred, the TIEO will approve the infraction electronically sending the information back to the vendor. The vendor will then begin the process for a Notice of Violation to be sent to the vehicle's registered owner.
 - 3. If the TIEO observes questionable circumstances, the offense shall be consulted with the Administrative Captain or designee for disposition.
 - 4. If the TIEO identifies a conflict of interest with a red-light violation to whom a Notice of Violation or citation will be issued, the officer must notify their supervisor immediately. The officer shall provide a detailed account of the nature of the conflict of interest, ensuring transparency and integrity in the enforcement process.
 - a. The officer shall abstain from any further direct involvement in the enforcement, investigation, or adjudication processes related to the specific incident.
 - b. The supervisor will then assign the case to another officer who does not have a conflict of interest.
 - c. This protocol is established to maintain the highest standards of professionalism, fairness, and ethical conduct within the police department.
- B. Notice of Violation
 - 1. The Notice of Violation shall be sent by the vendor via first-class mail to the registered owner of the vehicle. In the event of joint ownership, the first name appearing shall receive the notice, unless the first name appearing on the registration is that of a business, in such case the second name shall be used.

2. Upon the approval of the TIEO, the vendor will mail out the Notice of Violation to include all images, vehicle description, and registered owner information as required by law.
3. If the fine for the Notice of Violation is not paid within sixty (60) days and the violator does not request a hearing within sixty (60) days, an electronic UTC shall be issued by the vendor on behalf of the South Miami Police Department via certified mail to the address of the registered owner of the motor vehicle involved in the violation.
4. The TIEO will be required to appear to and testify at all municipal hearings as well as county traffic court.
5. The registered owner of the vehicle involved in the violation is responsible and liable for paying the UTC issued unless the owner can establish through the appeal process (Traffic Court), one of the following circumstances listed below:
 - a. The motor vehicle passed through the intersection to yield right-of-way to an emergency vehicle as part of a funeral procession.
 - b. The motor vehicle passed through the intersection at the direction of a law enforcement officer.
 - c. The motor vehicle was, at the time of the violation, in the care, custody, or control of another person.
 - d. The driver of the vehicle was issued a UTC by a law enforcement officer for the alleged violation.
 - e. The motor vehicle owner was deceased on or before the date of the alleged violation, as established by an affidavit submitted by the estate representative or other identified person or family member.

29.7.4 South Miami Police Department Vehicles

- A. South Miami Marked and Unmarked Vehicles
 1. If a police vehicle is being used for emergency purposes (e.g.,) with emergency lights activated the Notice of Violation will be reviewed by the TIEO and dismissed.-
 2. If a police vehicle violates a red-light camera infraction, the violation will be forwarded to the Administrative Captain.

3. The Administrative Captain will review the violation and investigate the circumstances leading up to it. If the Administrative Captain determines that there was no valid justification for the violation, The violator will have the option of receiving a Notice of Violation that will be issued to the driver of the police vehicle at the time and date of the violation or receive departmental disciplinary action.

29.7.5 South Miami Government/City Vehicles.

- A. If the vendor sends an image of a South Miami government vehicle in violation and a clear emergency purpose cannot be depicted, the appropriate department director will be contacted.