

**TOWN OF DAVIE
HUMAN RESOURCES DEPARTMENT**



**RED LIGHT CAMERA VIOLATIONS
SOP #24-003**

September 19, 2012

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

This operating procedure shall replace the Personnel Rules and Regulations and Policies enacted prior to the effective date of this Operating Procedure.

Revision	Date	Responsible Department	Description of Change
1	September 19, 2012	Human Resources	Initial Release

APPROVALS:

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Author

9/29/12

Date

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Town Administrator

9-29-12

Date

1-1. PURPOSE.

To establish a system of reviewing infractions for red light camera violators for Town of Davie employees and addressing employee violations of the Town of Davie's Standards of Conduct whether in Town owned vehicles or personal vehicles in and outside the confines of the Town of Davie.

1-2. SCOPE.

This operating procedure shall cover all full-time, part-time, seasonal, temporary employees, and volunteers.

1-3. REFERENCES.

Chapter 316, Florida Statutes.
Management Rights, Town of Davie Operating Procedure 20-002.
Chapter 119, Public Records Act

1-4. POLICY.

Town of Davie employees are expected to adhere to all laws of the road at all times. The Town employs numerous red light cameras within the confines of the Town of Davie. The red light camera will take a picture of vehicles that travel through a red light. If the vehicle is registered to the Town of Davie or assigned to a Town of Davie employee, the infraction notice will be sent to the appropriate Department Director to address. If an employee is responsible for the infraction, he or she may be disciplined for violation of the Town of Davie's Standards of Conduct. Employees receiving red light camera infractions outside the Town of Davie, in the performance of their job duties, may also be subject to discipline.

1-5. PROCEDURES.

Employees driving Town of Davie vehicles are responsible for any red light camera violations. The employee can contest violations or pay the ticket. Infractions are recorded electronically by American Traffic Solutions (ATS), Inc., which provides red light safety cameras at intersections and automated violation processing services to reduce traffic violations, increase enforcement, and reduce collisions, injuries and fatalities.

The Town of Davie's Budget & Finance Department will receive all Notices of Violation (NOV) issued by ATS to any vehicle registered to the Town of Davie or assigned to a Town of Davie employee, regardless of whether or not the violation occurred inside or outside Town of Davie jurisdiction. The Notice of Violation will then be forwarded to the appropriate Department Director to address.

The Department Director will be responsible for identifying the driver of the vehicle if the vehicle is registered to the Town of Davie or assigned to a Town of Davie employee. If the employee accepts responsibility for the violation within 14 days of the receipt of infraction notice, the employee shall pay the ticket. If an employee wishes to contest the infraction he or she shall complete a Transfer of Liability Affidavit which moves citation liability from the Town of Davie to the employee. If the matter is dismissed, the employee will provide a copy of the dismissal to the respective Department Director who will provide a copy of the dismissal to the Human Resources Department. If the employee accepts responsibility for the infraction or is found to be in violation as a result of a court hearing, the employee shall provide proof that the violation has been satisfied to their Department Director.

If the Town pays for the ticket when it was the employee's responsibility to have paid the ticket, the Town will use payroll deductions, over two pay periods, to reimburse the Town accordingly (plus a \$25 administrative fee).

If the infraction is validated and there has been no prior confirmed violation, then the employee will not be disciplined for violation of this operating procedure. If the infraction is validated and this is a repeat occurrence, the employee may be disciplined in accordance with Town of Davie discipline policy or respective collective bargaining agreement. Department Directors shall consult and obtain concurrence with the Human Resources Department prior to the issuance of any disciplinary action.

Employees driving emergency vehicles, such as fire rescue, fire engine, or police cars will not be in violation of red light camera tickets as long as the vehicle is on a legitimate response call and their emergency lights are on. The Police Department shall investigate and provide conclusions of the investigation to the Department Director and Human Resources Director. The Police Department shall maintain records of all emergency vehicle traffic infraction exceptions and maintain records consistent with the Florida Public Records law.

Employees are expected to obey the laws of other jurisdictions, and employees who receive red light camera violations in other jurisdictions while driving in Town of Davie vehicles will be expected to conform to this operating procedure regardless of jurisdiction.

Department Directors shall bear responsibility for ensuring an affidavit establishing exemption under Florida Statutes 316.0083 (1)(d) is completed and submitted to ATS. The affidavit is the instrument transferring responsibility for payment of the citation. ATS will then issue a Notice of Violation to the specific employee. Failure to comply with obligations imposed by any court of competent jurisdiction and/or pay tickets where fault has been determined and the period for appeal or contest has passed may result in disciplinary action.

Nothing in this operating procedure shall modify or abridge any rights provided by collective bargaining agreement.