

CITY of ALBUQUERQUE

EIGHTEENTH COUNCIL

COUNCIL BILL NO. _____ ENACTMENT NO.: _____

SPONSORED BY:

1 **RESOLUTION**

2 **IMPOSING A PROHIBITION ON THE ISSUANCE OF ANY STOP FINES**
3 **PURSUANT TO THE PROVISIONS OF SECTION 7-11-5 ROA 1994, THE**
4 **ENFORCEMENT SECTION OF THE “SAFE TRAFFIC OPERATIONS**
5 **PROGRAM”, UNTIL THE COUNCIL HAS REVIEWED AND**
6 **INDEPENDENTLY CONSIDERED AND ANALYZED ANY REPORT OF THE**
7 **MAYOR’S TASK FORCE AND HAS ACTED TO AUTHORIZE THE**
8 **CONTINUATION OF THE PROGRAM**

9 **WHEREAS, on November 9, 2005, City Council enactment O-2005-**
10 **65 became effective authorizing the creation of the Safe Traffic**
11 **Operations Program (“STOP”); and**

12 **WHEREAS, the City Council specifically made a finding in**
13 **justification for adopting STOP “ that red light cameras produce**
14 **scientifically reliable evidence of red light violations” and there is now**
15 **anecdotal evidence that STOP may not be scientifically reliable; and**

16 **WHEREAS, the City Council specifically made a finding in**
17 **justification for adopting STOP “that red light cameras save lives” but**
18 **has been unable to obtain confirming evidence that in Albuquerque red**
19 **light cameras have reduced accidents let alone saved lives; and**

20 **WHEREAS, the STOP was adopted under the specific**
21 **representation and finding that it was a “nuisance abatement article” but**
22 **legitimate concerns have been raised about whether the program has**
23 **become more of a revenue generating program than a nuisance**
24 **abatement program; and**

25 **WHEREAS, objections have been raised about the operation of the**
26 **equipment associated with STOP, the process by which the pictures**

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1 captured by those cameras are reviewed as well as about the conduct of
2 hearings conducted under the program; and

3 WHEREAS, in response to the concerns that have been raised
4 about STOP, the Mayor has appointed his own task force that has been
5 tasked with determining the impact of the program and making
6 recommendations about the future of the program and the Mayor has
7 reportedly stated that the program may need to be terminated; and

8 WHEREAS, the public is entitled to an objective analysis of the
9 operation and impact of STOP prior to the program continuing with such
10 a great financial impact, so much public concern and so many
11 unanswered questions; and

12 WHEREAS, the Council takes no position on whether the Mayor's
13 task force will be able to objectively answer the public's questions: and

14 WHEREAS, the enforcement process for STOP begins with the
15 issuance of a STOP fine which is mailed to the registered owner of the
16 vehicle involved pursuant to a process whereby "the Police Officer shall
17 cause a STOP fine to be delivered to the registered owner" and the best
18 way to temporarily suspend the program pending the task force report is
19 to stop the issuance of STOP fines.

20 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE
21 CITY OF ALBUQUERQUE:

22 The City of Albuquerque shall issue no STOP fines from the
23 effective date of this Resolution until the City Council has reviewed and
24 independently considered and analyzed any conclusions and
25 recommendations by the Mayor's task force and the City Council has
26 issued a new resolution calling either for the continuation, modification
27 or termination of STOP.

28

29 X:share/leg/res/Moratorium on Operation (2)