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# Speed Traps Fact Sheet

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Speed traps are often used by municipalities as a method of generating revenue to run the government. "Safety" is given as the excuse for running a speed trap, but the real reason boils down to money. The police department wants more money for equipment and salaries, the city wants more money to avoid raising taxes, local residents and businesses often go along with speed traps because they reduce local taxes, and besides, they're usually not the drivers who get the tickets anyway.

A "win win" situation for everybody in town, but not for the poor saps that suffer fines, points and insurance surcharges in the name of "safety." However, any person, if persistent enough, can take meaningful action to eliminate the classic speed trap. There are multiple approaches to bringing public and private wrath down upon the perpetrators of speed traps.

## 1) Appeal To Local Business Owners

With sufficient prodding local businesses can be effective in lobbying for the end of community speed traps. One way to prompt this kind of lobbying is to convince business owners that the local speed trap is costing them money, or is about to cost them money. This can be done by sending letters to local businesses and the chamber of commerce stating that you and anyone you can convince, will not be shopping in that community until the use of speed traps is discontinued.

## 2) Get The Attention Of The Local Media

Letters should be sent to the local newspapers, radio and TV stations, and to the mayor or any other head of the government that sponsors the speed trap. The combination of economic sanctions (loss of business) and embarrassment of local officials may generate pressure to eliminate the speed trap, or at least reduce its most abusive characteristics.

## 3) Purchase Small Advertisements In The Paper

If the media ignores the story, you can still get the word out in other ways. To add a little momentum to your efforts you may want to purchase small ads in surrounding community newspapers that identify the speed trap and demand that things change.

## 4) Find Other Speed Trap Victims To Join The Cause

Ask around the area and find other speed trap victims. The trap has taken money out of their pockets so it won't be hard to convince them to join the effort. If you generate some additional interest and help, the media and local officials will start to take you more seriously.

## 5) Request A Traffic Engineering Study

If a local village or city is using a state or county highway as a speed trap you may be able to provoke the state or county officials sufficiently to have them force the end of the speed trap. For example, if the speed limit is severely under-posted you can request a copy of the traffic engineering study that sanctioned such a low speed limit. You can use a "public information request" or "freedom of information request" to force the release of this study, if the public agency won't willingly release it. There are exceptions, but all states require a traffic engineering study to support an unusual or abnormally low speed limit.

## 6) Talk To Your Elected Officials

All elected officials give lip service to the belief that underhanded and exploitative speed enforcement should not be used as a means to extort money from honest responsible citizens. It's fair game to ask them to put substance behind their words. You have every right to ask your state legislators to pass a law that will reduce, if not eliminate the abuses common to speed traps.

Here are some approaches you can suggest to your state senator or representative:

1. Require that any posted speed limit that differs from the standard speed limit for a given type of road or highway be supported by a legitimate traffic engineering study that determines the 85th percentile speed of free flowing unimpeded traffic.
2. Establish a limit on the percent of local revenues that any community can generate through traffic fines. Any local unit of government that is generating more than 10% to 20% of its total revenue from fines is abusing traffic enforcement for revenue enhancement purposes.
3. Require that a high percentage (75 %) of all traffic fines and related costs be transferred to an unrelated state fund.
4. Prohibit the use of electronic speed measurement devices to enforce speed limits that have not been determined by a traffic engineering study.
5. Provide that any motorist charged with a traffic violation has the automatic right for a change of venue to a court of record.
6. Prohibit the use of electronic speed measurement devices to clock vehicles within 100 yards of a speed limit sign that reduces the speed limit.

By giving your legislator concrete and realistic suggestions you will have made it difficult for he or she to just ignore your request. Getting a bill drafted and introduced is still a long way from getting it passed into law, but it sure is a good start in the right direction.

## 7) Challenge Your Speed Trap Ticket In Court

On a very personal and individual level there is yet another way to challenge and oppose speed traps. If you're caught in a speed trap, you need to challenge your speeding ticket in court. Just paying the ticket to avoid the hassle will only perpetuate the system by giving the municipality exactly what it wants and expects: your money. Challenge your ticket in court with the full knowledge that you may have to appeal your conviction to a higher, more legitimate court. This accomplishes a variety of objectives:

1. You force the operators of the speed trap to take their time and money to prosecute you.
2. If you are well prepared, a competent judge may decide to formally chastise the speed trap operators, especially if they have violated state law.
3. Finally, as a reward for your hard work, there's a good chance the charges against you will be dismissed.