



Driving Freedom

NMA Foundation

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Speed Traps, Roadblocks and Ticket Cameras - Oh My!



NMAAlerts - the new locator web app exclusively for NMA members

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Driving Freedoms

Vol. 28 Issue 1

President's Report.....	1
NMA Store	3
Proper Setting of Speed Limits.....	4
MI Passes New Speed Limits.....	5
When Speed Limits are Invalid.....	5
NMAAlerts: Member-Only Road Trip App....	6
Smart City on a Stick.....	8
Linking Cars to Roads.....	9
The Array of Things.....	9
Members Write	10
Driving News	11
State Activist List	13

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The NMA Foundation is a non-profit organization dedicated to finding innovative ways to improve and protect the interests of North American motorists.

Renew your NMA membership now to avoid any lapse.

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BACK TO BASICS

BY GARY BILLER, PRESIDENT, NMA

A Trillion Dollar Gambit?

During political campaigns many promises are made and broken. We have just experienced one of the most polarizing presidential elections in memory and can already point to several position reversals.

While I'm not a betting man, there is one promise I think Donald Trump will follow through with—his plan to spend \$1 trillion (or thereabouts) on improving U.S. roads, bridges, airports, ports and waterways largely through private contracts. The negotiate-a-deal approach to managing our transportation infrastructure no doubt appeals to his basic instincts as a businessman.

There is no disputing that much of that infrastructure is in desperate need of repair. The federal government and nearly all state governments continue to resist raising funds by increasing the long-stagnant fuel tax—an option supported by the NMA as long as spending is dedicated to highway projects—but that is unpopular with the masses who view “higher” and “taxes” as the explosive collision of matter and anti-matter. That leaves scant choices to pay for work that needs to be done.

I like that the incoming Trump administration has an approach that can possibly break the funding stalemate. There is cause for concern, however, about the potential for profiteering and corruption if privately financed public projects don't have airtight contracts and equally strict oversight. Yes I cringed as I typed the last part of the previous sentence. We are talking about government contracts after all.

Before addressing those concerns, let's review the basic elements of the Trump plan. The idea is to spend \$1 trillion dollars on the transportation infrastructure, creating millions of jobs while supposedly not adding to the nation's deficit. Private multinational investors would be enticed into fronting much of the project costs while getting tax credits to cover 82 percent of their outlay. How will said investors make up the difference and indeed, turn a profit? By sharing revenues created by the imposition of more (and higher) tolls on highways and bridges throughout the country. Under that plan, it is possible that infrastructure investments will be concentrated in wealthier districts where profits will, in theory, be easier to attain.

The expected use of public-private partnerships (PPP) for transportation infrastructure projects in the Trump plan will require ongoing scrutiny by public watchdogs. PPPs have been struck with multinational corporations for the operation and maintenance of everything from state toll roads to city parking meters, often with disastrous consequences. If a federal, state, or local agency screws up a public project, people have some recourse by holding elected officials responsible. When said agency signs a public works contract with a private entity, taxpayers are left at the mercy of the contract terms and conditions, sometimes for decades. And if tolling is involved in PPP transportation projects, motorists get gigged twice—as drivers and as taxpayers.

(Continued on Page 2)



(continued from Page 1)

Some recent examples illustrate the potential risks of PPPs. The first involves a close cousin of tolls: parking fees. In 2008, the City of Chicago leased its 36,000 parking meters to a Morgan Stanley affiliate. In return for the 75-year contract Chicago received \$1.2 billion dollars, most of which it spent within the first three years to shore up budget deficits. Never mind that within a year the city inspector general said that Chicago officials sold the parking meter rights for half of what they were worth, an estimate that Forbes magazine later amended to one-tenth. Chicagoans are stuck with parking meter rates that have already quadrupled with more increases likely to come from a contract that extends to 2083.

The 75-year operating rights for the Indiana Toll Road–Interstate 80 stretching 157 miles from Ohio to Illinois—were leased to a Spanish-Australian consortium in 2006 for a lump-sum payment of \$3.85 billion. Even though toll rates doubled within

five years of the signing, the project went bankrupt in 2014. A year later an Australian company signed a \$5.73 billion lease for the remaining 66 years of the original 75-year contract.

Remember I said I'm not a betting man? Let's check back in a couple of years to see if the pattern repeats itself with the Indiana Toll Road. You won't find any solace from other toll road PPPs. As reported by TheNewspaper.com:


Nearly every high-profile tolling project has failed . . . The State Highway 130 project was the Lone Star State's first public-private partnership tolling deal, which served as a symbol of the Texas Department of Transportation's overall plan to add toll booths to every freeway. It flopped [declaring bankruptcy in March 2016].

The 91 freeway high-occupancy toll lanes in Orange County, California, was one of the first modern toll projects to go wrong, with the county taxpayers in 2003 paying for more than the original cost of construction to buy out

the project. San Diego's South Bay Expressway went bankrupt in 2010 and was bought out by county government. California's Foothill-Eastern

Transportation Corridor Agency, which runs the 241, 261 and 133 toll roads in Orange County, has been teetering on the edge of default despite \$1.7 billion in subsidies from the taxpayer.

In South Carolina, the Greenville Southern Connector went bankrupt in 2010. Transurban, the Australian company that runs the Pocahontas Parkway in Richmond, Virginia, wrote down the toll road as having a value of \$0 in 2012.

The Trump Administration deserves the opportunity to explore public-private partnerships as a means to modernize our transportation routes. But given that the PPP track record for such projects is abysmal, American taxpayers must demand transparency and scrutinize the details of public-private contracts before potentially being saddled with generations of increasing costs and growing debt. 

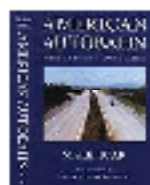
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Books for Motorists

American Autobahn



American Autobahn takes a tough but enthusiastic look at the state of American highway safety, exposing some of the half-truths and myths about the single most misunderstood factor in traffic accidents today—speed.

Winning in Traffic Court



A helpful, enjoyable read on how to fight a traffic ticket. It not only explains how to fight a traffic ticket, but also offers amusing anecdotes along with justification for fighting every ticket you receive.

Joyriding: Masterful Driving



This book covers just about every aspect of practical car handling techniques, driving tactics, and strategies that result in masterful and enjoyable driving. A great way to get a new driver off on the right foot.

Driver's Guide to Police Radar



Ever wondered just how close that police officer has to be to get you on his radar? Are you getting your money's worth from your detector? These are just some of the questions answered in *Driver's Guide To Police Radar*.

and many more selections

NMA Brand Items

NMA Cotton Pique Shirts

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This 15-oz blue acrylic travel mug with stainless steel liner and spill-proof top will keep your coffee hot during your daily commute.

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This bright reflective NMA logo decal measures 4 inches in diameter. With its silver metallic background and brilliant colors, you can display this adhesive decal proudly to promote the NMA.

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Masterful Advocacy for the Proper Setting of Speed Limits

Editor's Note: While attending a speed limits workshop hosted by the Transportation Research Board in early 2015, Jim Walker, executive director of the NMA Foundation, struck up a friendly conversation with an overseas academic in the field of industrial engineering and management. Their conversation has continued off and on by email with the professor expressing some skepticism about the efficacy of the 85th percentile method of setting speed limits. This latest response from Jim provides an excellent rebuttal to many of the key challenges (in red) made by his colleague.

I think we probably are too far apart in our views and advocacy to make much real progress.

One thing in your paper really stopped me cold - the use of Richard Retting as a serious safety researcher. He has made his living for over 20 years as a paid advocate of for-profit ticket camera enforcement, sometimes as an actual employee of a ticket camera company (Brekford). He is known in the USA as the "father of the red light camera" and that title is well deserved. I testified against him once in a Pennsylvania legislative committee hearing as the Philadelphia red light camera program was up for renewal. There were eight speakers, seven of them directly or indirectly in the revenue stream from red light cameras. In retrospect, my attendance was a total waste of time. I was invited as the "token voice" so they could claim they heard both sides, but it was clear in the hearing that the positive renewal decision was already taken LONG before the hearing took place.

Some examples of issues I think we are unlikely to resolve in any meaningful way:

The justifications for decisions on speed limits could include estimates of economic and social impact (say X hours of travel time on average per driver per day, or in any other way) as well



as estimates of safety impacts (say Y fatalities). In my opinion, as long as these estimates are stated, it is OK for decision makers to decide that X has greater value than Y, or vice versa, depending on the circumstances.

It is not a proper function of government to evaluate the worth my time on the basis of X hours spent at 65 mph versus 75 mph—given that my speed choices are similar to other drivers under the same conditions.

Proving bad intent of decision makers is impossible in most cases.

When governments set limits below the existing flow speeds and enforce them inconsistently and not enough to change the natural flow of traffic, then the only practical result is to generate revenue. It is not credible to me that those officials do not keep those ineffective limits in place for reasons other than revenue. The insurance industry vigorously supports under-posted limits; the surcharges for safe drivers ticketed for exceeding under-posted speed limits are unrelated to claims for crashes. Thus, the industry's revenue is enhanced with little or no increase in the cost of claims.

Is there really a causal relationship between unenforced speed limits and actual speeds?

This has been proven far too many times to even question it. Posted limits set well below the 85th percentile speeds without rigorous enforcement have virtually no effect on the actual speeds.

According to this survey, in most road categories, 50 to 60 percent of drivers drive above the speed limit. Similar

surveys have been done in Europe and in Israel, with similar results. You claimed that violations are in the range of 60 to 90 percent. What is the evidence supporting this claim? You also claim that in some places speed limits were set by the 85th percentile speed and that in these places the proportion of violators is only 15 percent. Where is the evidence documenting such places?

When limits are set at about the 50th percentile speed, there are about 50 percent above the limit. When set at the 85th percentile, there are about 15 percent above it. That is the meaning of the terms. I have a LOT of surveys in Michigan on all types of roads showing limits set at the 30th percentile speeds and lower. I have a couple where the limit is set at the 0th percentile speed of free flowing traffic with 100 percent above the limit under good conditions. Short of pervasive enforcement, which is unknown in most places, changes in the numbers on the limit signs have little bearing on the actual 85th percentile speeds.

Do you happen to know about any other study that examined the changes in actual speeds over a long range of 5 to 10 years?

I have several examples of speed studies done 10+ years apart with no significant changes in the actual 85th percentile speeds. These would likely be seen as anecdotal by some researchers, because they have not been collected in controlled studies over many years. But I have 56 years of licensed driving on many of these roads and the speeds simply do not change by enough to affect safety. My most interesting example is the 1940 speed studies on rural Missouri highways (similar to most Midwestern US states) where the 85th percentile speed was recorded at 62.5 mph. Throughout the Midwest, similar highways today have 85th speeds from about 63 to 70 mph with cars that are 70 years newer and vastly safer.

(Continued on Page 5)

Absent aggressive enforcement, people drive at the speeds they find to be safe and comfortable; speed tends to depend upon visibility and the perceived risks from side friction. You could take away all the speed limit signs, and the actual travel speeds would not be much different.

Another interesting example is Texas Highway 130, the very modern tolled expressway from Austin to San Antonio, Texas. It is posted at 85 mph and the 85th percentile speed data from TxDOT shows 85th percentile speeds of 86 mph. This is a road any competent driver in a modern car could drive at 100 mph in total safety, but most people don't go that fast because they are not comfortable even under perfect conditions.

You claim that you have been “winning some of the battles” using the fungible funds argument. I am concerned that this might be a two-edged sword, i.e., it might be used against other enforcement programs that are important. (I assume you agree that some enforcement activities are beneficial.) This is one of the main reasons I think the key arguments in any discussion on safety should be related to benefits of safety without regard to those elusive motivations that are impossible to prove (although they may exist).

By far the most common forms of abusive enforcement for profits in the USA are speed traps with limits typically set about 10 mph under the 85th speeds—enforced by either officers or cameras that cannot exist economically unless most tickets go to safe drivers who endangered no one; red light cameras that rely on short yellow light intervals and tickets for slow rolling rights-on-red, which are involved in only six one-hundredths of one percent of crashes with injuries or fatalities. I think we are slowly winning some of the battles by exposing enforcement for profits scams that do not improve safety. Tickets to safe drivers are a multi-billion dollar industry in the USA, and many people have decided that is wrong. 🍷

Michigan Passes New Speed Limits

Michigan passed Public Law 85 in 2006 to revise speed limit laws to make limits more realistic and to eliminate many speed traps. Unfortunately, the law did not have strong ways to insure compliance, so many cities simply defied the law to continue running their lucrative speed traps in areas with illegal speed limits.

Efforts to pass stronger laws backed by the NMA in the legislative sessions in 2010 and 2014 failed. In 2016 a package of bills passed the House and Senate that closed many of the loopholes left in PA85 of 2006. If the Governor signs these bills by January 5 they revise many of our speed limit laws to be fairer and more realistic.

The laws will eliminate many speed traps and make court challenges to invalid limits easier. We will have hundreds of miles of better limits on freeways at 75 mph, and rural trunk lines at 65 as they were before 1974. Limits in cities will no longer be able to arbitrarily define more than half the drivers as violators. It has taken ten more years since PA85 of 2006, but the new laws will be among the best in the country. 🍷

James C. Walker, Michigan Life Member of the NMA



When Speed Limits are Invalid

In September, Lansing State Journal reporter Sydney Smith took a comprehensive look at speed limits in her area of Michigan to determine their validity. In 2006, Michigan passed Public Act 85, which mandates cities, townships and villages complete speed studies or access-point counts to justify posted speed limits. Smith found that many had been set in the 1940's and haven't changed since.

A recent court ruling in the state showcased the problems when speed limits are not current. Grand Rapids defense attorney Ed Sternisha represented a client who received a speeding ticket in Saranac, a village in Ionia County. The client was pulled over for speeding initially and then received two additional citations: DUI and possession of a firearm. But the driver did not see a speed limit sign and challenged the validity of the traffic stop. Sternisha argued that even if there had been a sign the speed limit would have been invalid. The village of Saranac maintained that the speed limit of 25 mph was proper without providing justification. Subsequent access point counts determined that the speed limit should have been 45 mph based on Public Act 85 criteria which eliminated the “Residential District” 25 zones from the law. The court ruled in his client's favor and ruled the charges for DUI and a firearm could not be pursued because the traffic stop was not valid.

Municipalities too often enforce improperly-grandfathered speed limits that bear no resemblance to current driver behavior or engineering standards. This is particularly bothersome at a time when Vision Zero proponents are pressuring cities to lower speed limits even further without regard to proper engineering. 🍷

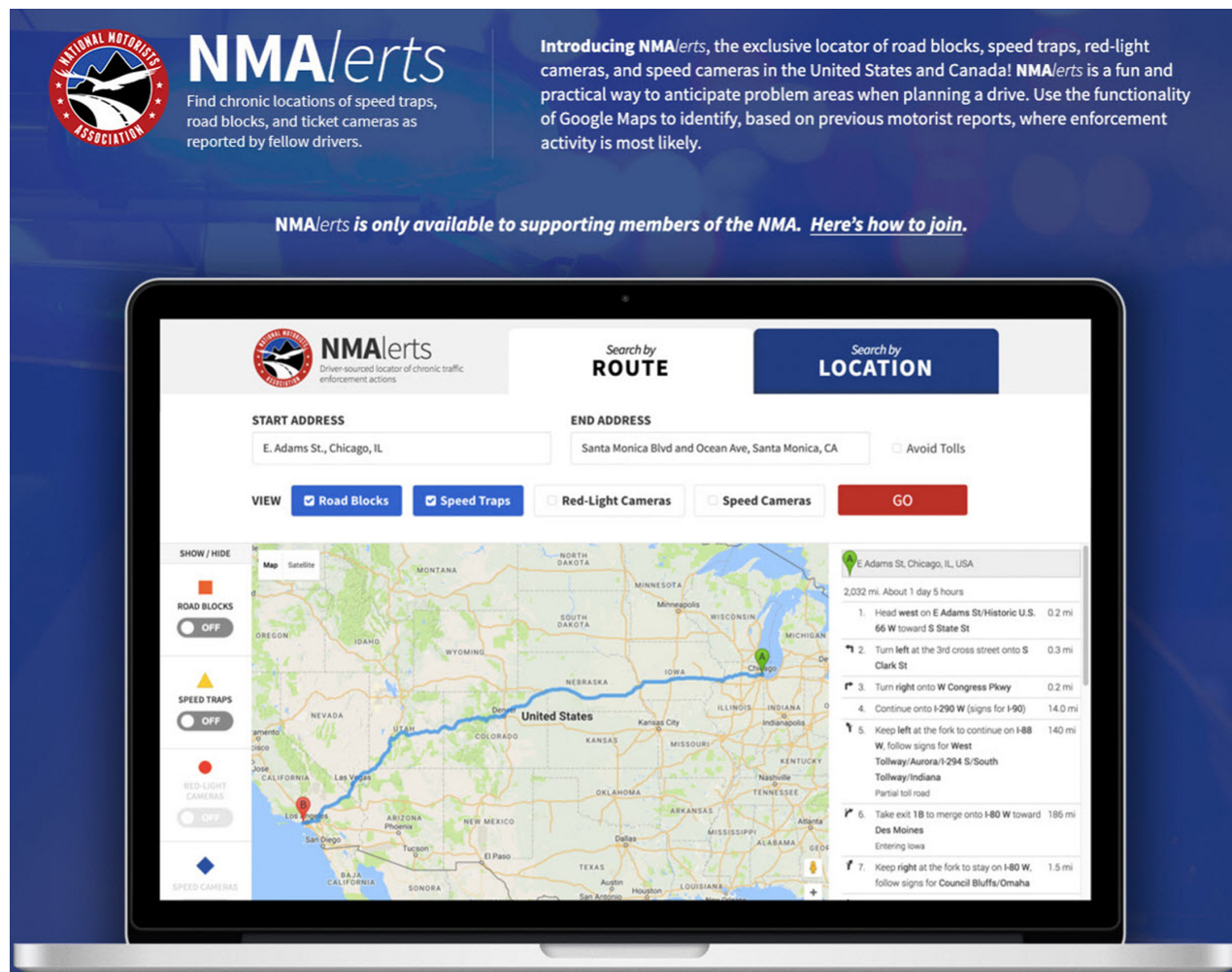
NMAAlerts: The Members-Only Road Trip App With a Twist

A key goal when upgrading the popular Speedtrap.org and Roadblock.org sites to mobile-device-friendly designs in late 2016 was to develop a map-based trip planning tool, one that would make the driver-sourced information from those databases readily accessible to NMA members. We

buoyed by the discovery of an extensive collection of red-light and speed camera locations to complement the NMA's speed trap and roadblock data. When contacted, the proprietors of SCDB.info showed immediate interest and have been very accommodating in letting us integrate their speed and

States or Canada and a radius of 5 to 100 miles to circumscribe an area where reported locations of speed traps, roadblocks, and/or ticket cameras are then displayed.

To be clear NMAAlerts is designed as a trip-planning tool, not as an early-warning mobile app like Waze



are pleased to say that NMAAlerts has become that app and much more.

Fuelled by member contributions, the NMA Foundation has funded the website upgrades and development of NMAAlerts. The app is the newest of NMA benefits available only to supporting members. It allows users to identify reported police enforcement locations along chosen routes or within specified geographic areas.

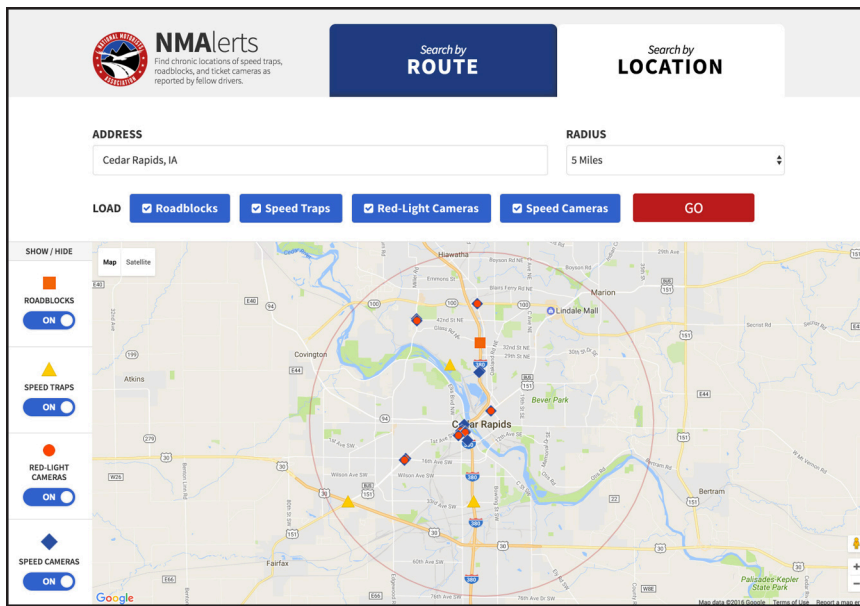
The development effort was

red-light camera information into NMAAlerts.

We chose Google Maps (GM) as the user interface for NMAAlerts. Key GM functionality such as “drag to change route” and “avoid tolls” is incorporated. To GM’s classic suggested routing between user-defined starting and ending addresses, we have added a Location mode. That option allows the user to select a point or city on the map within the United

or Phantom Alert. A unique aspect of the NMA web app is the posted content—driver observations that describe police behavior at most locations. Warnings such as the following from a Cross Plains, Texas motorist and an Olar, South Carolina driver respectively can make the difference between cruising along pleasantly without incident or getting stopped and ticketed:

(Continued on Page 7)



NMAAlerts in Location mode. Cedar Rapids, Iowa is one of the few US cities that have the unholy triumvirate - roadblocks, speed traps and ticket cameras (of both varieties)

All travelers from San Angelo to Dallas-Ft. Worth area: This has been a good route 35 years for me but it's now infested with ticket-writing cops for trivial speeding tickets in Cross Plains. Take the Abilene route from now on and don't give this dinky town a bathroom break anymore.

Olar is a dying town containing a couple of vacant stores and will continue to die because of the absence of travel through it. I was told by a trucker not to go through the town because it is a speed trap. Take 301 instead. But the gps told me to take 321. While passing the vacant store with no traffic in sight, I admit I went over the 30 mph section that is in effect for about 100 yards. The cop who of course is there to serve and protect, gave me my first ticket in over forty years.

These aren't sour grapes. The Cross Plains trap has had 816 "yes, it's a speed trap" votes to 65 "no, it's not a speed trap" votes in the year and a half since being posted to Speedtrap.org. In the two years since the Olar complaint, the yes-to-no vote ratio has been an

astounding 2228 to 16. Vote totals like these are part of the information content of NMAAlerts.

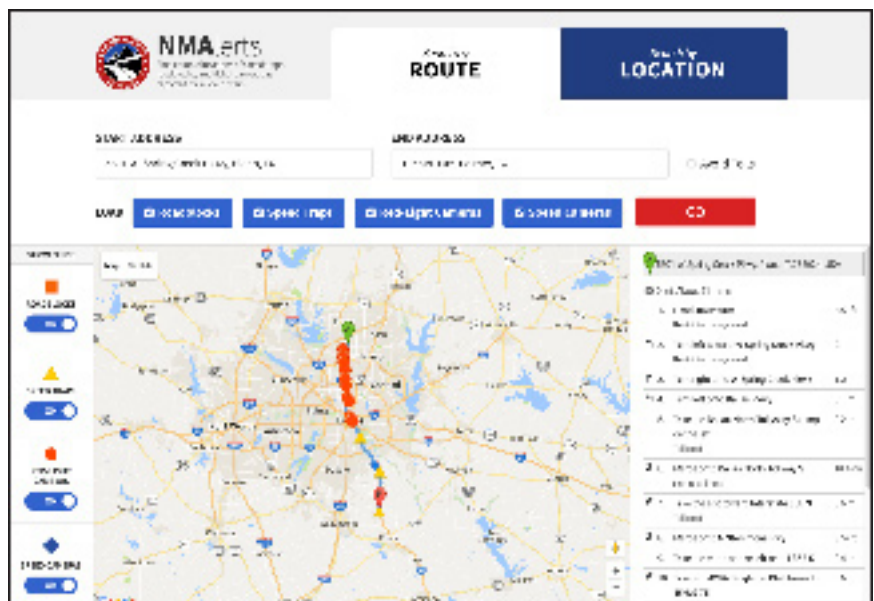
NMAAlerts can be used on mobile devices, but we have included a warning not to use the app while operating a vehicle. Driving while reading comments by others on a smart phone not only can create unsafe distractions, it is also unlawful in many states. Let a passenger operate the app if you want a blow-by-blow account, or scope

out your route with NMAAlerts before getting behind the wheel.

NMAAlerts will be available exclusively to members in late January or early February; perhaps even by the time you read this. A special landing page has already been set up at <https://www.motorists.org/nmalerts/> to illustrate the app's capabilities and features. To use the app itself, you will need to log in to the Members Area of Motorists.org. Log-in instructions are provided on page 13 of this magazine.

We are excited about the potential of the NMAAlerts app and the modernized, mobile ready Speedtrap/Roadblock sites to draw a legion of new supporting members to the NMA. Please help by encouraging family, friends and colleagues to join the NMA. A quick online tour of the NMA About Us page (<https://motorists.org/about/>), the Member Benefits page (<https://www.motorists.org/memberbenefits/>) and the NMAAlerts landing page may be all the encouragement they need.

Just remember to tell them that NMAAlerts is the web app that helps take worrisome gotcha police tactics out of the driving equation. 🛡️



NMAAlerts in Route mode. The most direct drive from Plano to Palmer, Texas cuts right through the heart of Dallas and subjects drivers to a slew of cameras

Smart City on a Stick

Illuminating city streets night after night, city streetlights have always been one of those always-there public utilities motorists take for granted. In some cities around the world though, streetlights are receiving a promotion. Of course, they will keep lighting our way at night but now their job duties will include around-the-clock localized data gathering and serving as the neighborhood Big Brother. As more smart cities come on line, streetlights will be one of the conduits for vehicle infrastructure integration or VII.

The streetlight bulb is also going through an upgrade. At least ten percent of American cities already have begun modernizing streetlights by replacing the traditional halogen bulb with more expensive ones called light-emitting diodes (LEDs) which reduces operating costs by up to 90%. Installing low-impact, long-lived LEDs throughout the municipal grid helps municipalities improve energy efficiency and nearly eliminate maintenance and bulb replacement costs. (For more on this topic, see NMA E-Newsletter #410, Can You See Me Now? The new LED Street Lights at <https://www.motorists.org/alerts/led-street-traffic-lights-better-worse-nma-e-newsletter-410/>.)

When the halogen bulbs are replaced with LEDs, some cities plan to modernize their poles which will serve as a major conduit for the information super highway and the Internet of Things (IoT) which includes VII. Newer light poles will act as Wi-Fi boosters, and will contain sensors to provide information such as localized weather conditions, traffic congestions and delays. They also have the potential for surveillance for all vehicular and pedestrian traffic. Who wouldn't want Wi-Fi access in every neighborhood, real-time data on congestion or parking and up-to-the minute information in case of a weather emergency? Will the trade-off for



convenience though be another opportunity for government or even private companies stalking our every move?

In an October 2016 study done by the Northeast Group on the worldwide smart streetlighting market, researchers indicated that the market will be the driving force in the Internet of Things (IoT). Researchers forecast that by 2026, 89 percent of streetlights will have transitioned to LEDs and 42 percent will be networked. The study also predicts that cities around the world will make total investments of \$57 billion for LED streetlights and \$12.6 billion for smart connected streetlights in the same timeframe. Telensa is currently the global leader in this field ahead of Silver Spring, General Electric (GE), Philips and Echelon.

Retrofitting streetlights will be big money for these companies. Some of these companies are now combining efforts with the surveillance industry to create a complete streetlight package. For example, GE Lighting and SpotShotter (SST) recently joined forces to bring together streetlights and the SpotShotter technology, which provides a way to use microphones in the detection of

gun shots and other city sounds.

Rick Freeman, GE Lighting global product general manager for Intelligent Devices, recently said, "We've entered an era where lighting is so much more than illumination. The ecosystem we are building with our intelligent Environments for Cities solution is transforming street lighting into the analytical brain of urban life."

The SpotShotter technology has been used by cities to listen for and locate gunshots. Now, SST plans to include SpotShotter microphone technology with the option to add closed circuit TV (CCTV). This would provide continuous 360-degree wide-area acoustic and video surveillance throughout an area. SST software would be able to pinpoint precise locations for authorities: geographical coordinates and street addresses as needed. Cities would be able to conduct surveillance 24/7/365 on all streets with connected lamp poles.

CCTV cameras and microphones would indeed be the starting point for what experts are now calling smart street furniture. Streetlight poles and electric utility poles could utilize automatic license plate readers (ALPRs), face recognition readers, digital information readers, and emergency response systems. Bluetooth devices could be added to the poles to track citizens through their smartphones and digital wearables such as watches and soon-to-be connected clothing. According to a recent article on the Next Up website, there are two conditions that citizens should insist upon if their cities are moving toward "smart" technology:

- 1) Limit the ability of any one user to be tracked through the system. Make the data collected anonymous; however this would certainly defeat the intent of law enforcement to monitor criminal activity.

- 2) Use physically separated devices. Standalone Bluetooth tags would ensure data required to interact with a smart city are held separately from

sensitive data on individual smart-phones and other mobile devices.

These fixes of course, would be a trade-off of privacy vs. less personalized support from the smart city itself. People have been living in cities for centuries, so why do we need this personalized attention anyway?

There are three other problems with smart cities that are just as important as the Big Brother issue.

Because cities may choose to store and share their data in the cloud, cybersecurity is a big concern. When that much personal data are available, hackers could target such systems with catastrophic consequences.

The management of smart street furniture is likely to be outsourced to private companies, in a manner with automatic camera enforcement installation, maintenance and operations. If this happens, then the question becomes, who owns the data collected and how will it be used? None of us wants to be tracked or targeted for advertising purposes (or worse) everywhere we go day and night.

System failure due to software glitches could also be a problem. The problems could be local or system wide. The more cities smart up, the more vulnerable the systems are at every point. Will there be continued funding after the smart city has been built to keep the city's intelligent grid running smoothly? Will cities be able to afford all the continuous upgrades and maintenance—the hidden costs of technology? Is this a service worthy of taxpayer funding?

Building a smart city is undoubtedly expensive. On one hand LEDs will bring down the streetlight maintenance and operating costs. But is adding all the costs of the gadgets to streetlights and other street furniture to provide data information for evidence-driven policy-making really worth the cost when cities currently struggle to fix pot holes and elected officials balk at funding road maintenance on a sustainable level? ❤️

Linking Cars to Roads

Engineers are developing communications links between vehicles and highway infrastructure to increase safety, efficiency and overall convenience. This emerging technology is called Vehicle Infrastructure Integration or VII. Some of the expected benefits of VII connections might be:

- To assist vehicles with automated emergency maneuvers (steering, braking, and decelerating);
- To provide real-time traffic network information;
- To facilitate precise traffic signal coordination;
- Closing the feedback loops on what is now an open-loop transportation system;
- Reducing headway between vehicles to increase traffic flow;
- To address problems more quickly while reducing the cost of obtaining and compiling data; and
- Enable automatic tolling.

Of course, there are still significant unresolved issues when implementing connectivity between vehicles and roads.

- Personal privacy—How can the system be anonymous if used for tolling?
- Automakers need to cooperate by agreeing to and implementing a standard protocol that all vehicles recognize and respond to.
- Smart street furniture infrastructure (smart streetlights, smart parking meters, etc.) will be expensive to build, maintain and upgrade as technology evolves.
- Unless hardwire infrastructure is available, radio communications will require new FCC frequency allocations, which are in short supply and not readily transferrable. ❤️

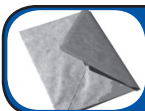
Roadside Research: The Array of Things



The myriad of privacy issues involving the collection of data has not deterred cities around the country from both extending their existing programs and initiating new ones. In 2016, Chicago began installing sensors around the city; researchers call this program “The Array of Things.” The Chicago network will eventually include 500 sensors installed on city street power poles and traffic lights. The Array of Things device is called a “node,” which houses sensors that can measure climate, weather, air pollution, noise levels, vibrations, and street/sidewalk traffic.

The public will have access to this location-tagged information for research or other purposes. Each node's sensors will stream data to the Argonne National Laboratory outside of Chicago. The information will then be uploaded to the city's data visualization portal and open grid system where anyone can access it.

Kansas City and Raleigh, NC, have already developed similar Array of Things programs. The winner of the Smart City Challenge, Columbus, OH, plans to incorporate an Array of Things program in the future. Chicago Magazine recently reported that Atlanta, Chattanooga, and Seattle—along with Bristol and Newcastle in the United Kingdom—will soon begin their own programs using the same technology as Chicago. ❤️



MEMBERS WRITE

The views expressed below do not necessarily represent those of the NMA. Letters are welcomed and should not exceed 300 words. They may be edited for length or clarity. Full-length articles will also be considered and should not exceed 600 words. Send to nma@motorists.org or mail to NMA, 402 W 2nd St., Waunakee, WI 53597

I hope the idea of increasing the gas tax is the opinion only of K.C. Green of North Carolina (re NMA E-Newsletter #406, Vote for Roads, <https://www.motorists.org/alerts/vote-roads-nma-e-newsletter-406/>) and not the NMA itself. Only knee-jerk politicians vote to raise taxes for every problem, real or imagined. Anyone who has been paying attention must know that giving the pols and bureaucrats more money to play with is not going to solve any problem and will more likely create new ones. Putting more money into government coffers for highways, bridges and roads is likely to result in more unwanted, worthless and very expensive roundabouts.

Your own state of Wisconsin is a prime example of that. Your DOT has just announced that it will build another multi-million dollar roundabout in a place where nobody, not even the state representative for that district, wants it. It will cost millions of dollars while other projects, such a widening Interstate 94 have been canceled or put on hold. Out in my area of Wyoming and Colorado they are building roundabouts in rural areas that connect low-volume intersections, not because another roundabout will solve any problem, but because the engineers and planners have a fetish for roundabouts. There is a sort of Gresham's law of politics, at some point more money to government tends to drive out good

government and brings in more bad government. We are already taxed enough in every way imaginable. Giving elected officials and administrators more money is like giving whiskey and car keys to teenagers. Saying they will spend it like drunken sailors is an insult to drunken sailors. After all, sailors are spending their own money and they eventually sober up.

Ken Willis, Cherry Hills Village, CO

Editor's Note: Ken is referring to a proposed \$1.5 to \$2 million single-lane roundabout at the intersection of U.S. Highway 45 and State Highway 96 to the west of Green Bay, Wisconsin.

Thank you NMA, for representing our right to driving freedom.

Self-driving vehicles pose numerous other problems than those mentioned in NMA e-newsletter #402, Evolution (<https://www.motorists.org/alerts/evolution-nma-e-newsletter-402/>). Additional issues include:

Privacy is a prerequisite to freedom. The connected car (even if it is not self-driving) is one of the ultimate privacy breaches by its nature. Connected cars transmit your every position (and much more) via the internet where it potentially can be used by any organization that cares to. Younger people in particular

are now accustomed to exposing all of their personal data and constant location information on their phones to dozens of "apps" that constantly watch their every move; they see no threat in that. You are spot on that this generation will not see the societal and governmental dangers of the self-driving car. This generation does not remember the cold war and the choke hold that the USSR had over its people. This is the magnitude of "Pandora's Box" that is opening throughout much of our nation.

Another serious danger to autonomous vehicles (and even many of today's "connected" vehicles) is hacking. Security breaches are commonplace. If a vehicle's functions are connected to the internet, they CAN be hacked. Kevin Mitnick, one of the most famous hackers, was interviewed by a major electrical engineering publication where he stated that there is nothing in the IoT (Internet of Things) that cannot be hacked. Mr. Mitnick has been hired by numerous Fortune 500 companies to hack their systems and find vulnerabilities and has a 100% success rate to prove it. Connected vehicles are a part of IoT. Imagine Chicago or LA interstates (or even those of any major city) with 10+ lanes of autonomous vehicles under a mass cyber attack and the potential damage to life and property that could result. Cyber threats are real and the autonomous vehicle will multiply the risks involved.

I may sound like a doomsday alarmist, but these are statements of fact from an engineer who designs parts of today's automotive technology.

Walter B., Goshen, IN





DRIVING NEWS

This information is current at time of printing. Get daily driving news updates from across the country through the “NMA Driving News” area of our website. For even more in-depth coverage of motorists’ issues from some of the country’s leading commentators, visit the NMA Blog at www.motorists.org/blog/.

Alaska

The Alaska Department of Transportation and Public Facilities reported a 22-percent or \$60 million reduction in its general fund since last year. The DOT announced in October, it will need to close or reduce operations in five of its maintenance stations, which will hamstring its efforts to maintain roads, bridges, airports and ferries. Officials say all roads will remain open, but it will take longer to plow snow and address icy conditions since road crews will have a much larger maintenance area.

Arizona

The Mexican American Legal Defense and Educational Fund has joined two other groups in filing a federal suit accusing the state of illegally denying undocumented immigrants the right to get a drivers license despite eligibility. The suit comes less than two years after a federal judge forced the state to grant licenses to recipients in conformity with the federal Deferred Action for Childhood Arrivals.

California

Since 2013, California has permitted undocumented immigrants to obtain drivers licenses. Advocates asserted that it would lead to safer roads. Another benefit, according to a new report, is that it may have led to an increase in the number of insured vehicles in the state.

The State Supreme Court ruled in late November that Los Angeles could no longer pawn off the review of parking tickets to a private vendor. The court said that Xerox could only process tickets but its employees could not determine guilt

or innocence. The city and Xerox will now have to pay defendant Cody Weiss \$721,995 to cover costs he incurred challenging his \$55 parking ticket. The city of Los Angeles generates \$158 million in annual revenue from parking tickets.

Florida

Fox 13 Reporter Toni Jensen in Tampa conducted an ongoing investigation starting in July 2016 on the DMV practice of selling driver information to private companies. Jensen found that the state generated nearly \$150 million in the past two years selling driver’s personal information to 75 different companies. Senator Bill Nelson is asking for a federal investigation in a letter to the U.S. Department of Justice stating that he is concerned that his state’s DMV has violated the federal Driver Privacy Protection Act by selling motorists’ information without express consent.

Georgia

The Georgia Court of Appeals has banned police driveway snooping. If a police officer now wants to look through a window of a vehicle lawfully parked in a private driveway, the officer will need to show probable cause to obtain a warrant. The case centers on four men who were arrested for possessing a small amount of marijuana in December 2014. Officers had been serving a warrant next door and decided to have a look at a car with occupants parked legally in a driveway next door. The court ruled that the driveway was considered an extension of the home owned by one of the defendants. Police could not enter without a warrant or an exigent circumstance.

Illinois

In November, Cook County Judge Kathleen G. Kennedy certified a class action suit against the City of Chicago for failing to comply with its own ticketing ordinance. Apparently, officials were skipping steps in order to speed up ticket fine collections. The ruling means that potentially one million vehicle owners could get their money back to the tune of \$200 million. Also, the same lawyers are suing the city in a separate action to nullify a city ordinance passed in September 2016 that established a new and separate assessment of liability for those old citations. The ordinance is basically a scheme to “do over” the original citations that could go back five years.

Iowa

Twenty thousand motorists have filed a class action suit against the DOT Motor Vehicle Enforcement Team that has been issuing speeding tickets. In a two-year period ending August 2016, the team issued nearly 13,000 citations to non-commercial drivers and another 9,000 to commercial drivers. The plaintiffs’ attorney Brandon Brown points to Iowa law that states the team’s authority is regulated only to weight, size and load on Iowa roadways and not speeding violations.

According to the DOT, three Iowa cities (Des Moines, Cedar Rapids and Sioux City) are the only U.S. cities that have speed enforcement cameras monitoring interstates. The Des Moines Register has reported that the interstate speed cameras issued 200,000 tickets generating more than \$13 million in revenue in 2015. Two of every five citations were sent to out-of-state motorists and a majority of citations were issued to motorists who were not residents of the city where they were ticketed. In 2015, the DOT ordered a number of the speed cameras turned off but the cities have appealed the order with a trial set for late February.

(Continued on Page 12)

(Continued from Page 11)

New Mexico

In 2011, the City of Albuquerque suspended its camera enforcement program and ended its relationship with Redflex Traffic Systems. However, between August 2010 and January 2016, Redflex continued to robocall motorists, badgering them to pay their camera fines. In October, a judge ruled on a \$2.25 million settlement agreement against Redflex. Motorists who received a call about not paying a ticket could be getting up to \$200 each.

Oklahoma

In September, the State Supreme Court upheld a DUI ruling that could let some motorists keep their drivers licenses. Attorney John Hunsucker proved that the Board of Tests improperly approved the device used to determine breath alcohol concentration. Hunsucker plans to extend the decision retroactively, which could invalidate almost a decade of revocations. In Oklahoma, revocation is a civil matter handled separately from criminal charges. Drivers must have a hearing at the Department of Public Safety, which currently has a backlog that has kept some drivers waiting over a year to schedule a hearing.

Oregon

On December 1, the Portland City Council passed its Vision Zero Plan without a budget attached. The plan makes clear that the city DOT wants to do away with basic traffic engineering studies for determining speed limits on roads that include arterial and state highways that run through the city.

Pennsylvania

The State Senate passed SB535 which would allow municipal police to use radar and would allow both municipal and state police to use Lidar for speed enforcement. The end of the legisla-

tive session precluded the House's consideration of the bill. Although dead for this year, the bill is expected to be reintroduced in the next session. Pennsylvania is the only state that does not allow local police to use radar.

Rhode Island

A three-magistrate panel of the RI Traffic Tribunal upheld a finding that a motorist violated a state law banning text messaging by using his GPS. If the rule is upheld, Rhode Island will become the only state to ban all types of cellphone manual manipulation while driving. On the other hand, Rhode Island does allow talking on a cellphone while driving, something many other states have already banned.

Texas

Five Dallas area motorists have filed a class action suit against the cities of Dallas and Carrollton and the Dallas County Schools. The plaintiffs claim the cities and school district are illegally issuing traffic tickets for passing stopped school buses using photos taken by the buses' stop arm cameras. The 53-page complaint states the Texas Transportation Code grants no authority to municipalities to pass civil penalty ordinances that conflict with the state's traffic criminal code.

Virginia

A Fairfax County Judge told an innocent motorist that she would not have to pay over \$8,000 in fines since she did nothing wrong. On the day it was alleged she passed through a toll booth without paying the \$2.50 toll, she had a valid E-ZPass account with a \$173 balance. The problem was that the woman's New York E-ZPass account failed to register in Virginia, and Virginia's bureaucracy did not know how to process the transaction. All fourteen counts of failure to pay were dismissed. As of July 2016, state law caps the amount a

motorist can be fined for an alleged first offense toll violation at \$2,200 regardless of the number of tolls in dispute.

Washington State

The state DOT reports that revenue in the first year of tolling on I-405 in the Seattle area was 318% higher than projected. The gross toll revenue was \$17.5 million and the initial projection/was only \$5.5 million. By law, revenues net of expenses must be expended on I-405 for improvements. Yearly operating costs were \$8 million. One problem though: I-405 is not meeting the standard set for speed. The standard requires that traffic flow must be no less than 45 mph at least 90 percent of the time. Traffic within the lanes is now moving at 45 mph or faster just 85 percent of the time. DOT officials say this is due to express lanes bottlenecking during the evening commute. In the spring, DOT officials plan to open up shoulder driving in a less than two mile section to help alleviate some of the congestion problems.

West Virginia

The State Supreme Court of Appeals ruled that motorists can be charged with drunk driving on their own private property, even if they represent no danger to others. The Chief Justice wrote, "The legislature chose to structure our DUI statutes to regulate the condition of the driver, not the locale in which the driving took place." The case stems from a man arrested for DUI in 2012. He was riding an all-terrain vehicle on his family's farm, had too much to drink and then crashed. Medical personnel called to the scene called the sheriff and the man was arrested with a blood alcohol level of 0.17. His case was quickly thrown out but the DMV suspended his license. The man sued to have his license reinstated with the case eventually making its way to the highest state court.

