

SB

255

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 3/19/04

REPORTED OUT

APR 15 2004

SENATE FINANCE
COMMITTEE

SENATE BILL NO. 255

FURTHER:

DATE TURNED IN TO OFFICE: 4/15/04

Finance Committee considered

SB 255 ILLEGAL USE TRAFFIC PREEMPTION DEVICE

"An Act relating to traffic preemption devices."

and recommends:

- be replaced with _____ CS SB 255 (FIN)
- adopt previous _____ CS CS RETHREADING (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:
 Same Title
 New Title

House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero.	FN#
DOA	4/6/04		*		

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero.	FN#
LAW	2/10/04			✓	3
DPS	2/6/04			✓	2
DPS	2/9/04			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Frank D'Amico</i>	✓			
<i>Ben Stuenkel</i>			✓	
<i>Ben Stuenkel</i>				✓
COCHAIR: <i>Sybil Green</i>			✓	
COCHAIR: <i>Gary Miller</i>	✓			

APR 15 2004

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSSB 255(STA)
(S) Publish Date: 3/5/04

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
Title An Act relating to traffic preemption devices. RDU Alaska State Troopers
Component AST Detachment
Sponsor Senator Therriault
Requester Senate State Affairs Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would ban the possession and use of equipment that will activate traffic "preemption" devices if the user is not involved in an emergency operation. The preemption devices send a signal to a traffic light or other traffic control device to give emergency responders priority at intersections that have been equipped with compatible equipment by changing the traffic light or device. Violation of this section would be a class A misdemeanor.

This bill will have no fiscal impact on the Department of Public Safety.

Prepared by: Lieutenant Al Storey Phone 269-4532
Division Alaska State Troopers Date/Time 2/9/04 3:55 PM
Approved by: Commissioner William Tandeske Date 2/9/2004
Agency Department of Public Safety

APR 15 2004

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSSB 255(STA)
(S) Publish Date: 3/5/04

Revision Date/Time (Note if correction):
Title: Illegal use of Traffic Preemption Device
Dept. Affected: Public Safety
RDU: Fire Prevention
Component: Fire Prev. Operations
Sponsor: Senator Therriault
Requester: Senate State Affairs
Component No.: 494

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time		0	0	0	0	0
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill makes it unlawful to possess or use a traffic preemption device when not operating an emergency vehicle.

SB 255 will have no fiscal impact to the Department of Public Safety.

Prepared by: Gary Powell, Director
Division: Fire Prevention
Approved by: Commissioner William Tandeske
Agency: Department of Public Safety

Phone 269-5491
Date/Time 2/9/04 9:39 AM
Date 2/6/2004

APR 15 2004

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: CSSB 255(STA)
(S) Publish Date: 3/5/04

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
Title "An Act relating to traffic preemption devices." RDU CRIMINAL
Component CDCO
Sponsor Senator Therriault
Requester Senate State Affairs Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill makes it a Class A misdemeanor to possess or use a traffic preemption device if a person is not at the time of possession or use, operating a emergency vehicle. An exception is made for employees of a municipality or the state who are authorized to install, repair, or maintain traffic preemption devices provided use of the device is in accordance with such authorization.

Passage of this legislation will have no foreseeable fiscal impact on the Department of Law.

Prepared by: Kathryn A. Daughhete, Director Phone 465-3673
Division Administrative Services Date/Time 2/10/04 9:29 AM
Approved by: Kathryn Daughhete for Gregg D. Renkes, Attorney General Date 2/10/2004
Agency Department of Law

REPORTED OUT

APR 15 2004

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: CS SB255(STA)
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
Title An Act relating to traffic preemption BRU Legal and Advocacy Services
devices Component Public Defender Agency
Sponsor Senator Therriault
Requester (S) FIN Component No. 1631

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	*	*	*	*	*	*
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	*	*	*	*	*	*
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type-Do not abbreviate)						
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will likely have a fiscal impact on the operations of the Agency, but it is impossible to determine with any accuracy what that impact will be. It is not possible for the Agency to determine how many traffic preemption devices exist or will be possessed or used in violation of this proposed bill. Creating a new offense will impact the Agency however since it is historically appointed in 80% of the criminal cases charged. An indeterminate fiscal note is submitted.

Prepared by: Linda K. Wilson, Deputy Director Phone (907)-334-4416
Division: Public Defender Agency Date/Time April 6, 2004
Approved by: Kevin Jardell, Assistant Commissioner Date 4/6/2004
Agency: Administration

SENATE FINANCE COMMITTEE
4 / 15 / 2005 COMMITTEE ACTION

Bill Number	SB 255		
Amendment			
Motion	to Report from Committee		
<u>Motion by</u>	Green		
<u>Objection by</u>	Wilken		
Removed	✓		
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	<u>Vote</u>	N
Senator Olson			
Senator Stevens			
Senator Bunde			
Senator Dyson			
Senator Hoffman			
Co-Chair Green			
Co-Chair Wilken			
<u>Tally</u>			
Yea			
Nay			
Absent			
<u>MOTION</u>	P ASSED		

Conceptual
Amendment # 1

ADOPTED

23-LS1397Q

CS FOR SENATE BILL NO. 255(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 3/5/04

Referred: Judiciary, Finance

Sponsor(s): SENATOR THERRIAULT

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to traffic preemption devices."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 11.56 is amended by adding a new section to read:

4 Sec. 11.56.825. Unlawful possession or use of traffic preemption device.

5 (a) A person commits the crime of unlawful possession or use of a traffic preemption
6 device if the person possesses or uses a traffic preemption device and that person is
7 not at the time of the possession or use operating an emergency vehicle.

8 (b) This section does not apply to

9 (1) an employee of the state or a municipality who at the time of the
10 possession or use of a traffic preemption device is authorized to install, repair, or
11 maintain traffic preemption devices and only uses a device in the process of installing,
12 repairing, and maintaining the devices; or

13 (2) a person operating a motor vehicle involved in highway
14 maintenance or public transit that has been authorized by the Department of
15 Transportation and Public Facilities or a ~~municipality~~ to possess or use a traffic

SB0255B

-1-

CSSB 255(STA)

New Text Underlined [DELETED TEXT BRACKETED]

← municipal or city assembly

1 preemption device.

2 (c) In this section,

3 (1) "emergency vehicle" means a police, fire, or emergency medical
4 service vehicle that only uses a traffic preemption device when responding to a fire or
5 other emergency or when transporting a patient to a hospital or clinic or for transfer to
6 another emergency vehicle;

7 (2) "traffic preemption device" means a system that uses infrared light
8 or other technology on a motor vehicle to transmit a signal to a receiver connected to a
9 traffic light or other traffic control device for the purpose of giving the vehicle
10 transmitting the signal the right-of-way by changing the traffic light or control device.

11 (d) Unlawful possession or use of a traffic preemption device is a class A
12 misdemeanor.

SENATE FINANCE COMMITTEE
4 / 15 / 2003 COMMITTEE ACTION

Bill Number	SB 255		
Amendment	#1		
Motion	Dyson to adopt		
<u>Motion by</u>	Dyson		
<u>Objection by</u>	Bunde		
<u>Removed</u>	✓		
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	<u>Vote</u>	N
Senator Dyson			
Senat. Hoffman			
Senator Olson			
Senator Stevens			
Senator Bunde			
Co-Chair Green			
Co-Chair Wilken			
<u>Tally</u>			
Yea			
/			
Absent			
<u>MOTION</u>	ADDED		

Attention: Sheila

Of Senator Wilken's office

RE: CS SB 255 (FIN)

Date: 4/12/04 Time: 8:20 AM

The attached Senate Finance CS incorporates the amendment(s) your boss sponsored. Please review and approve so the bill can be forwarded to the Senate Secretary.

The CS is your copy.

Thanks,
Senate Finance Secretary
Mindy #4935
Robin #2618

A-OK
Sheila

Approved: _____

(please initial)

Return ASAP

Attention: Lucky

Of Senator Dyson's office

RE: CS SB 255 (FIN)

Date: 4/16/04 Time: 8:25 am

The attached Senate Finance CS incorporates the amendment(s) your boss sponsored. Please review and approve so the bill can be forwarded to the Senate Secretary.

The CS is your copy.

Thanks,
Senate Finance Secretary
Mindy #4935
Robin #2618

Approved: _____

(please initial)

Return ASAP

*Conceptual
Amend
#1*

*OK'd
Sen
Dyson
4/16/04*

OK'ed
by
Sheila
8:50am
4/16/04

CS FOR SENATE BILL NO. 255(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR THERRIAULT

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to traffic preemption devices."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 11.56 is amended by adding a new section to read:

4 Sec. 11.56.825. Unlawful possession or use of traffic preemption device.

5 (a) A person commits the crime of unlawful possession or use of a traffic preemption
6 device if the person possesses or uses a traffic preemption device and that person is
7 not at the time of the possession or use operating an emergency vehicle.

8 (b) This section does not apply to

9 (1) an employee of the state or a municipality who at the time of the
10 possession or use of a traffic preemption device is authorized to install, repair, or
11 maintain traffic preemption devices and only uses a device in the process of installing,
12 repairing, and maintaining the devices; or

13 (2) a person operating a motor vehicle involved in highway
14 maintenance or public transit that has been authorized by the Department of
15 Transportation and Public Facilities or by the municipal assembly or council, as



1 appropriate, to possess or use a traffic preemption device.

2 (c) In this section,

3 (1) "emergency vehicle" means a police, fire, or emergency medical
4 service vehicle that only uses a traffic preemption device when responding to a fire or
5 other emergency or when transporting a patient to a hospital or clinic or for transfer to
6 another emergency vehicle;

7 (2) "traffic preemption device" means a system that uses infrared light
8 or other technology on a motor vehicle to transmit a signal to a receiver connected to a
9 traffic light or other traffic control device for the purpose of giving the vehicle
10 transmitting the signal the right-of-way by changing the traffic light or control device.

11 (d) Unlawful possession or use of a traffic preemption device is a class A
12 misdemeanor.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 15, 2004

SUBJECT: CSSB 255(FIN) (Work Order No. 23-LS1397\S)

TO: Senator Lyda Green
Attn: Robin Paul

FROM: Gerald P. Luckhaupt *Jerry*
Legislative Counsel

Enclosed is the CS(FIN) you requested. I have one comment. The committee amended the bill to provide that municipal or city assemblies could authorize the use of these devices. In Alaska, all cities are municipalities. See AS 01.10.060(4). The reference to "city" should be deleted from the bill. Inclusion of superfluous terms could lead to problems in interpretation both in this provision and others.

GPL:lmb
04-108.lmb

Enclosure

"S" will be replaced with "U"

CS FOR SENATE BILL NO. 255(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR THERRIAULT

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to traffic preemption devices."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 11.56 is amended by adding a new section to read:

4 Sec. 11.56.325. Unlawful possession or use of traffic preemption device.

5 (a) A person commits the crime of unlawful possession or use of a traffic preemption
6 device if the person possesses or uses a traffic preemption device and that person is
7 not at the time of the possession or use operating an emergency vehicle.

8 (b) This section does not apply to

9 (1) an employee of the state or a municipality who at the time of the
10 possession or use of a traffic preemption device is authorized to install, repair, or
!1 maintain traffic preemption devices and only uses a device in the process of installing,
12 repairing, and maintaining the devices; or

13 (2) a person operating a motor vehicle involved in highway
14 maintenance or public transit that has been authorized by the Department of
15 Transportation and Public Facilities or a municipal or city assembly to possess or use a

1 traffic preemption device.

2 (c) In this section,

3 (1) "emergency vehicle" means a police, fire, or emergency medical
4 service vehicle that only uses a traffic preemption device when responding to a fire or
5 other emergency or when transporting a patient to a hospital or clinic or for transfer to
6 another emergency vehicle;

7 (2) "traffic preemption device" means a system that uses infrared light
8 or other technology on a motor vehicle to transmit a signal to a receiver connected to a
9 traffic light or other traffic control device for the purpose of giving the vehicle
10 transmitting the signal the right-of-way by changing the traffic light or control device.

11 (d) Unlawful possession or use of a traffic preemption device is a class A
12 misdemeanor.

Amend #2

FAILED

23-LS1397Q

CS FOR SENATE BILL NO. 255(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 3/5/04

Referred: Judiciary, Finance

Sponsor(s): SENATOR THERRIAULT

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to traffic preemption devices."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 11.56 is amended by adding a new section to read:

4 Sec. 11.56.825. Unlawful possession or use of traffic preemption device.

5 (a) A person commits the crime of unlawful possession or use of a traffic preemption
6 device if the person possesses or uses a traffic preemption device and that person is
7 not at the time of the possession or use operating an emergency vehicle.

8 (b) This section does not apply to

9 (1) an employee of the state or a municipality who at the time of the
10 possession or use of a traffic preemption device is authorized to install, repair, or
11 maintain traffic preemption devices and only uses a device in the process of installing,
12 repairing, and maintaining the devices; or

13 (2) a person operating a motor vehicle involved in highway
14 maintenance ~~or public transit~~ that has been authorized by the Department of
15 Transportation and Public Facilities ~~or a municipality~~ to possess or use a traffic

1 preemption device.

2 (c) In this section,

3 (1) "emergency vehicle" means a police, fire, or emergency medical
4 service vehicle that only uses a traffic preemption device when responding to a fire or
5 other emergency or when transporting a patient to a hospital or clinic or for transfer to
6 another emergency vehicle;

7 (2) "traffic preemption device" means a system that uses infrared light
8 or other technology on a motor vehicle to transmit a signal to a receiver connected to a
9 traffic light or other traffic control device for the purpose of giving the vehicle
10 transmitting the signal the right-of-way by changing the traffic light or control device.

11 (d) Unlawful possession or use of a traffic preemption device is a class A
12 misdemeanor.

SENATE FINANCE COMMITTEE
4 / 15 / 2003 COMMITTEE ACTION

Bill Number	SB 255		
Amendment	# 2		
Motion	to adopt		
<u>Motion by</u>	Bunde		
<u>Objection by</u>	Wilken		
<u>Removed</u>			
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	<u>Vote</u>	N
Senator Hoffman			✓
Senator Olson	✓		
Senator Stevens			✓
Senator Bunde	✓		
Senator Dyson			✓
Co-Chair Green			✓
Co-Chair Wilken			✓
<u>Tally</u>			
Yea	2		
Nay	3		
Absent			
<u>MOTION</u>	FAILED		

Alaska State Legislature

SENATOR
GENE THERRIAULT

Mailing Address:
119 N. Cushman, Suite 101
Fairbanks, Alaska 99701
(907) 488-0857
Fax: (907) 488-4271

While in session
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4707
Fax: (907) 465-3884
SENATE DISTRICT F

Senate

Sponsor Statement SB 255

Senate Bill 255: "An Act relating to traffic preemption devices"

Sponsor: Senator Gene Therriault

Senate bill 255 was introduced to reserve the use of Traffic Preemption Devices (TPDs) for legitimate authorized users, including emergency response providers, road maintenance and public transit vehicles. TPDs allow vehicles approaching a traffic signal to override the normal signal control and change the light from red to green. This enables emergency vehicles to proceed more rapidly to the situation they are responding to. Unfortunately, without a change in state law, these devices are available for purchase and use by the general public and indiscriminate use could lead to accidents.

This bill is intended to keep these accidents from occurring, by assuring that only authorized personnel use TPDs. This is accomplished by making it illegal to own a TPD unless you are an approved user. In addition, authorized individuals would only be able to use the device in an official capacity, as defined by this bill. The bill also guarantees that mechanics and other repair personnel are allowed to possess and use TPDs, when installing, repairing or testing them in an official capacity.



State of Alaska
Department of
Public Safety

Frank H. Murkowski, Governor
William Tandeske, Commissioner

February 9, 2004

The Honorable Gene Therriault
Alaska State Legislature
State Capitol, Room 111
Juneau, AK 99801-1182

Dear Senator Therriault:

The Department of Public Safety supports Senate Bill 255 The Unlawful Possession or Use of Traffic Preemption Device. It is a matter of public safety that these devices are used only during an emergency response by an emergency vehicle. The misuse of these devices could easily endanger the lives of pedestrians and motorists. Possession of these devices by untrained personnel invites their abuse, with what could be tragic results. As a side note, unauthorized use of these devices could generate unfounded complaints to state and local traffic engineers who would attempt to trouble shoot traffic signals for problems that don't exist. Unauthorized use would undermine public confidence and support for continued use and expansion of traffic preemption systems.

The unlawful use or possession of a traffic preemption device warrants the punishment of a class A misdemeanor if convicted.

Sincerely,

William Tandeske
Commissioner

Subject: SB 255

Date: Thu, 26 Feb 2004 14:51:21 -0900

From: "Kiewik, John G." <KiewikJG@ci.anchorage.ak.us>

To: <Senator_Gene_Therriault@legis.state.ak.us>

Dear Sir:

Thank you for you efforts in regard to Senate Bill 255.

The Municipality of Anchorage presently uses traffic preemption at several intersections and hopes to someday have a full system wide build out. At present, the system is used by the Anchorage Fire Department.

Anchorage uses the 3M™ Opticom™ Priority Control System which features Vehicle ID. Vehicle ID restricts the use of the system to Fire Department vehicles only, in other words, it is encrypted. The system also has two tiers of service, high priority (emergency vehicles), and low priority (other municipal applications). Many communities use the low priority tier to keep their transit operations efficient (buses on time). Anchorage hopes to use this technology in the near future for its transit and street maintenance operations (snow plowing). However, it is unclear to me if this would be possible under the present wording of the bill. Thank you for your attention in this matter.

John Kiewik, Deputy Fire Chief

Support Services Division

Anchorage Fire Department

907-267-5064

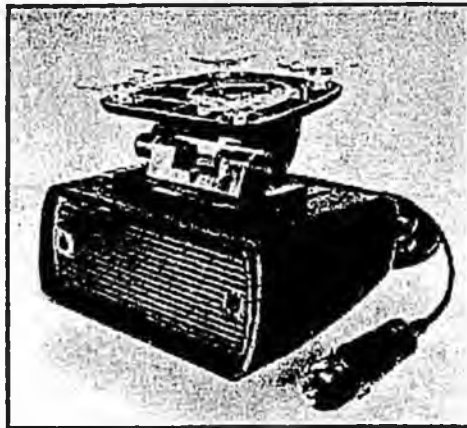


The Mirt Traffic Control Preemptive Device for only \$385 & free shipping!!



CLICK HERE TO ORDER NOW!!
NOW AVAILABLE (LIMITED STOCK)!!

[MIRT MAIN PAGE](#) - [HOW DOES IT WORK?!](#) - [MIRT FAQ'S](#) - [MIRT WARRANTY INFO](#) - [MIRT HISTORY](#)



PORTABLE

CHANGE STOPLIGHTS FROM RED TO GREEN IN SECONDS!
For the first time, a traffic light changer that is practical, mobile, AND compact! "MIRT" can be securely positioned on the dash or inside windshield and moved from vehicle to vehicle with no installation required. Just plug it in and go! Its unique infrared technology emits no visible light, making it discrete and eliminating any distraction to the driver or other vehicles in the vicinity.

POWERFUL

Do not be fooled by MIRT's compact size. Emitting 15 watts of energy (more than any other portable traffic light changer) MIRT changes traffic lights from red to green in 2 to 3 seconds

RELIABLE

from more than 1500 ft. MIRT is manufactured by a trusted name in the industry with more than 15 years experience. All electronic components and assembly are top quality, and every unit is tested to ensure endurance, dependability, and safety. It is perfect for the heavy duty use and is backed by a 10-yr. warranty!

ECONOMICAL

The technology of MIRT is not only "breakthrough", it is by far the most price-efficient signal changer available...costing less than half of any competing product. Check out the order page for the amazing pricing details!

- Dimensions:
Width - 7", Depth - 7", Height - 2"
- Plugs into any standard 12 Volt vehicle accessory outlet (or cigarette lighter)
- 14 Hertz, high priority preemption emitter
- Changes light from 1500 feet
- Compatible with all 3M Optimcom™ and Tomar Strobecom™ preemption detector systems
- 10-Year Manufacturer's Warranty
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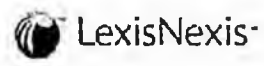
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SIGNAL CHANGER CAN LEAD TO HAVOC LIGHTS: EMERGENCY CREWS RELY ON DEVICE TO CLEAR PATH, SO CIVILIAN USE SPARKS WORRY

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Madoslo Bee
January 19, 2004, Monday, ALL EDITION

A fire engine rolling to a house fire with people inside. A police officer responding to a shooting. Paramedics headed to a major traffic accident.

All need clear paths to get to their destinations as quickly and safely as possible.

Recently, however, Riverside County paramedics approaching an intersection used a mobile infrared transmitter (MIRT) to change a signal light from red to green, only to have a civilian change it back.

While such technology might be a dream for drivers eager to sail through without any red lights, authorities say signal changers could create problems for emergency vehicles.

That's why Assemblyman Dario Frommer, D-Glendale, plans to sponsor a bill that would ban the public sale of such transmitters.

Currently, the devices are sold locally, as well as on the Internet. It's not illegal to buy or have them -- it's only illegal for civilians to use them.

"You just can't have every motorist with the ability to change a stop light at

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will," Frommer said. "It could create tremendous chaos."

Frommer said the transmitters should be restricted to police, fire and medical emergency personnel.

Modesto police Capt. Joe Aja said he is not aware of any incidents in Modesto when someone used a transmitter to change a signal light against an emergency vehicle.

Aja said firefighters, police and other emergency personnel have used the transmitters for years. But they were never intended for public use.

"(Police) use the transmitters for safety," Aja said. "They create a safety corridor for us and an extra level of safety."

The devices emit an invisible high-intensity strobe light that can change signals from red to green in two or three seconds from a distance of about 300 yards.

Aja said emergency personnel can use the transmitters at most of Modesto's major intersections. The devices are attached to the police car's emergency light bar, he said.

Internet availability raises concern

But the public can buy the devices for prices ranging from about \$100 for a used one to about \$400 for a new one. Frommer said the growing availability on the Internet convinced him the law needs to be changed.

Under the proposed legislation, anyone not working as a firefighter, police officer or paramedic would be fined if found with a transmitter or if they are caught selling one, Frommer said.

The bill would make the unauthorized purchase or sale punishable by a fine of up to \$1,000. Anyone caught selling or buying two or more transmitters would be charged with a misdemeanor and fined up to \$3,000.

A person with an unauthorized device who causes an injury or death in a car accident would be fined up to \$10,000.

The bill also would permit law enforcement to conduct online stings.

Frommer said anyone willing to lie about their occupation can buy a signal pre-emptor on the Internet. The transmitter can be plugged into a cigarette lighter, he said.

"If the public starts using the transmitters, emergency personnel might have to start using a secondary signal with a code," Modesto Fire Battalion Chief Richard Hurley said.

Tim Gow, who invented MIRTs and owns the company that produces them, FAC of America, defended a distributor's right to publicize and sell the product online.

The advertising, he said, is aimed at public safety departments.

"We don't market to the public, and we never intended to market to the public," Gow said.

Jerry Sterner, president and chief executive officer of Sintax Security Service in Modesto, is one of 14 authorized MIRT dealers statewide.

Sterner said he sells the infrared transmitter only to police agencies, fire



departments and ambulance companies.

He predicts that Frommer's bill will pass. "By midyear they no longer will be allowed," Sterner said.

Bee staff writer Daryl Farnsworth can be reached at 578-2337 or dfarnsworth@modbee.com.

The Sacramento Bee contributed to this report.

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3. TSP Benefits & Costs

3.1 Benefits

Several benefits are anticipated from implementing a TSP system. These benefits typically include: reduced transit travel times, improved transit schedule reliability, reduced stops which leads to reduced wear and tear on equipment, less pavement maintenance and increased rider comfort, reduced emissions, and ultimately, an increased attractiveness of transit created by an increased competitiveness to the single-occupancy automobile. Some value-added benefits of the TSP system can also exist which are difficult to quantify (e.g., potentially using the TSP system for a fuel management system). Besides the benefits, TSP systems may also have negative impacts. One of the most commonly cited impacts is the potential increase in traffic delay on side streets.

Transit vehicles spend an average of 15% of their trip time waiting at traffic signals. By example, significantly reducing this wait by 40% on average would reduce a 60 minute round trip to 55 minutes, providing a more competitive service. A key point is that if this route requires a 5-minute headway, only 11 buses are required to support that interval, compared with 12 under the 60-minute trip length. Reduced vehicle and operator costs contribute toward a favorable return-on-investment. However, in order to achieve these savings, it is necessary that the reduced travel time be consistent. Since bus trips are scheduled in advance, the allocated running time may only be shortened if the same trip consistently takes less time⁵.

In at least one study, the benefit/cost ratio associated with such reductions from deploying TSP was found to be approximately 2:1 over a 10-year operating period, giving a payback period of approximately 3 years. Note also that a reduction in the number of transit vehicles used means that a decrease in pollution emissions can be achieved as well.

Successful implementation of TSP has been practiced in Europe since 1968. The European philosophy to TSP is generally more aggressive and intended to provide a high reward for transit vehicles and passengers compared to other vehicles. Zurich and Amsterdam have a majority of intersections enabled for TSP. Installations in England and France have shown a 6 to 42% reduction in transit travel time, with only 0.3 to 2.5% increases in auto travel time.

In North America, Los Angeles, Toronto, Portland, Seattle, Tacoma, Chicago, , among others, have TSP installations in place (see Appendix 1). Other communities, such as Albany, Salt Lake City, Houston, Montreal, Broward County, Santa Clara Valley, etc., have TSP projects in the development or deployment stages. In fact, TSP is becoming increasingly important with the growing interest in Bus Rapid Transit (BRT) systems; 11 of the 17 BRT consortium members are incorporating TSP in their designs.

The potential benefits from TSP for reducing transit signal delay, and improving travel times and reliability are encouraging TSP deployment across the continent. In Toronto for example, average transit signal delay reductions of up to 46% using TSP has justified expansion to over 300 signalized Intersections (15% of total) along four bus and five streetcar routes, all in mixed traffic. Other TSP deployments include a 2-¼ mile stretch in Cicero, IL on Cermak Road that is the site of an Illinois Department of Transportation demonstration using wire loops at 10 signalized Intersections. Chicago Transit Authority and suburban PACE buses, using transponders and absolute TSP, realized an 8-minute trip time versus 12 minutes before TSP (a 33% reduction). In Los Angeles, two projects demonstrated application of TSP in conjunction with the introduction of Metro Rapid, a Bus Rapid Transit system, at approximately 100 signals along of each corridor (14-16 miles)⁶. Results indicated an average 8% decrease in overall bus running time, and a 33-39% reduction in bus delay at signalized intersections.

Studies associated with the deployments^{7,8,9} have shown that there has been little or no impact on the travel times of other motorists along streets operating with TSP, when effectively designed. In fact, the deployment of TSP may positively benefit vehicles traveling in the same direction of the transit vehicle by introducing signal coordination, or momentarily widening the green band for that approach to the traffic signal. As such, some study results confirmed modest improvements for the balance of traffic flow along transit routes with TSP. Studies have shown there to be no general pattern of change to pedestrian delay as a result of the implementation of bus transit priority, with any increases or decreases being minimal.

Unfortunately, a limited amount of before and after data exists for TSP systems. Results from a limited number of case studies are summarized in Table 1. These results are based only on field data. A number of before and after studies have also been performed using simulation models^{10,11}. It is important to note that the results in Table 1 will vary based on several factors including system design (i.e., transit detection system and signal control equipment), TSP strategy, type of data collection procedure, traffic volumes, and the combination of implementing TSP with other preferential treatments (e.g., queue jumps, exclusive transit lanes, etc.).

Lessons Learned

- In general¹², the case studies reveal that implementing TSP results in:
 - Reductions in transit travel times, transit delay, stops, and schedule unreliability; and
 - Minor impacts to cross-street traffic and buses.

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Table 1: TSP Benefits and Impacts – Case Studies

Location	Transit Type	No. of Intersections	TSP Strategy	Benefit/Impact
Portland, OR ¹³ Tualatin Valley Hwy.	Bus	10	early green, green extension	<ul style="list-style-type: none"> • Bus travel time savings = 1.4 to 6.4% • Average bus signal delay reduction = 20%
Europe ^{14,16}	Bus	Five case study sites	Various	<ul style="list-style-type: none"> • 10 seconds/intersection average reduction in transit signal delay • 40 to 80% potential reduction in transit signal delay • 6 to 42% reduction in transit travel times in England and France • 0.3 to 2.5% increase in auto travel times • 1 to 2 year payback period for installation of transit priority systems
Seattle, WA ^{10,17} Rainier Avenue	Bus	20	early green, green extension	<ul style="list-style-type: none"> • 24% average reduction in stops for TSP eligible buses • 5-8% reduction in travel times • 25-34% reduction in average intersection bus delay for TSP eligible buses • 40% reduction in critically late trips (trips not completed before next trip scheduled start) • Life cycle benefits are \$15,000 service benefit per intersection and \$40,000 passenger benefit per intersection (over 10 years life)
Sapporo City, Japan ¹⁸ Route 36	Bus	unknown	unknown	<ul style="list-style-type: none"> • 6.1% reduction in bus travel time • 9.9% increase in ridership • 7.1% reduction in bus stops at signals which resulted in a 20.8% reduction in stopped time
Toronto, Ontario ^{19,20}	Street car, Bus	260	early green, green extension	<ul style="list-style-type: none"> • Up to 46% reduction in transit signal delay • 10 street cars removed from service • 4 buses removed from service in 2 initial corridors • Payback less than 5 years • Cross street traffic not significantly affected
Chicago, IL ²¹ Cermak Rd.	Bus	15	early green, green extension	<ul style="list-style-type: none"> • 7 to 20% reduction in transit travel time depending on time of day, travel direction • Transit schedule reliability improved • Reduced number of buses needed to operate the service • Passenger satisfaction level increased since TSP was implemented • 1.5 second/vehicle average decrease in vehicular delay (range: +1.1

Location	Transit Type	No. of Intersections	TSP Strategy	Benefit/Impact
				<ul style="list-style-type: none"> to -7.8) 8.2 second/vehicle average increase in cross-street delay (range: +0.4 to +37.9)
San Francisco, CA ²²	LRT and Trolleys	16	early green, green extension	<ul style="list-style-type: none"> 6 to 25% reduction in transit signal delay
Minneapolis, MN ²³ Louisiana Ave.	Bus	3	early green, green extension, actuated transit phase	<ul style="list-style-type: none"> 0 to 38% reduction in bus travel times depending on TSP strategy 23% (4.4 seconds/vehicle) increase in traffic delay Skipping signal phases caused some driver frustration
Los Angeles, CA Wilshire & Ventura Blvds. ^{8,24}	Bus	211	early green, green extension, actuated transit phase	<ul style="list-style-type: none"> Introduced as part of Metro Rapid BRT 8% reduction in average running time 33-38% decrease in bus delay at signalized intersections Minimal impacts to cross street traffic: average of 1 second per vehicle per cycle increase in delay TSP did not change the traffic Level of Service
Pierce County, WA Pacific Ave and 19th St. corridors ²⁶	Bus	42	signal coordination, early green, green extension, low priority preempt	<ul style="list-style-type: none"> Initial deployment in two corridors involving both signal coordination and TSP Signal coordination reduced total signal delay 18-70% for general purpose traffic, and 5-30% for transit TSP reduced transit signal delay an additional 20-40% beyond signal coordination TSP had little impact on traffic progression

SENATE COMMITTEE REPORT

DATE: 3/5/04

FURTHER: Finance

DATE TURNED
IN TO OFFICE: 3/19/04

Judiciary Committee considered

SENATE BILL NO. 255

SB 255 ILLEGAL USE TRAFFIC PREEMPTION DEVICE

"An Act relating to traffic preemption devices."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS SB 255 (STA)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:
 Same Title
 New Title

House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	Indet.	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	Indet.	FN#
DPS	2/9		✓		1
DPS	2/9		✓		2
LAW	2/10		✓		3

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
French <i>[Signature]</i>			X	
Ogan <i>[Signature]</i>	✓			
Therriault <i>[Signature]</i>	✓			
CHAIR: Seelkins <i>[Signature]</i>	✓			

**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 1/12/04

FURTHER: Judiciary
Finance

Date of 5-Day Notice: 2/5/04
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3/5/04

State Affairs Committee considered SENATE BILL NO. 255

SB 255 ILLEGAL USE TRAFFIC PREEMPTION DEVICE

"An Act relating to traffic preemption devices."

and recommends:

- be replaced with _____ CS SB 255 (1)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:	
<input checked="" type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
House Bill:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

NEW FISCAL NOTE(S):

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DPS	1/9/04			✓	1
DPS	1/9/04			✓	2
LAW	2/10/04			✓	3

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

Corden/
Skedman

Stevens

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John J. Caudrey</i>	✓			
<i>Butch Stinson</i>	✓			
CHAIR: <i>[Signature]</i>	✓			

SENATE FINANCE COMMITTEE

SIGN-IN

SB 255-ILLEGAL USE TRAFFIC PREEMPTION DEVICE

NAME: Shelley Owens Subject/Bill No: SB 255
Co./Dept./Title: Heather Program Manager Phone: 465-3028
State Dept. of Health & Social Services
Address: Section of Community Health & HD Zip: 99811-0616
PO Box 110616 - Juneau, AK
Do you wish to testify? Yes No Respond To Questions Dept. supports Bill

NAME: Dennis Michel Subject/Bill No: SB 255
Co./Dept./Title: Legislative Aide to Senator Thernkult Phone: 465-4797
Address: Box 72991 Fairbanks, AK Zip: 99707
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

SENATE FINANCE COMMITTEE

SIGN-IN

SB 255-ILLEGAL USE TRAFFIC PREEMPTION DEVICE

NAME: Dennis Michel Subject/Bill No: SB 255
 Co./Dept./Title: Legislative aide to senator Therrault Phone: 465-4797
 Address: PO Box 72991 Fairbanks Zip: 99701
 Do you wish to testify? Yes No Respond To Questions

NAME: Shelley Owens Subject/Bill No: SB 255
 Co./Dept./Title: AK DHSS - S Community Health EMS Phone: 465-3028
 Address: PO Box 40614 JNU Zip: 99811-0614
 Do you wish to testify? Yes No Respond To Questions ^{DHSS} supports Bill - zero fiscal note

NAME: Nona Wilson Subject/Bill No: SB 255
 Co./Dept./Title: AK DOT & PF Phone: 465-3904
 Address: 3231 Channel Drive Zip: 99801
 Do you wish to testify? Yes No Respond To Questions only - we support bill

NAME: _____ Subject/Bill No: _____
 Co./Dept./Title: _____ Phone: _____
 Address: _____ Zip: _____
 Do you wish to testify? Yes No Respond To Questions

Bill History/Action Display



BILL: SB 255

SHORT TITLE: ILLEGAL USE TRAFFIC PREEMPTION DEVICE

BILL VERSION:

CURRENT STATUS: (S) FIN

STATUS DATE: 03/19/04

SPONSOR(s): SENATOR(S) THERRIAULT

TITLE: "An Act relating to traffic preemption devices."

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01/12/04	1900	(S) READ THE FIRST TIME - REFERRALS
01/12/04	1900	(S) STA, JUD, FIN
03/05/04	2427	(S) STA RPT CS 3DP SAME TITLE
03/05/04	2428	(S) DP: STEVENS G, COWDERY, STEDMAN
03/05/04	2428	(S) FN1: ZERO(DPS)
03/05/04	2428	(S) FN2: ZERO(DPS)
03/05/04	2428	(S) FN3: ZERO(LAW)
03/19/04	2560	(S) JUD RPT CS(STA) 3DP INR
03/19/04	2560	(S) DP: SEEKINS, OGAN, THERRIAULT;
03/19/04	2560	(S) NR: FRENCH
03/19/04	2561	(S) FN1: ZERO(DPS)
03/19/04	2561	(S) FN2: ZERO(DPS)
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