

# **House Bill 1465**

## **Enhanced Penalty Zone Report**

March 25, 2010

## Background and Purpose

The Enhanced Penalty Zone pilot program was authorized by law during the 2006 Legislative Session.

*The intent of this legislation was to prevent vehicular fatalities on segments of highways that have a high incidence of speeding-related crashes.*

The Florida Department of Transportation was directed to identify and establish Enhanced Penalty Zones on state roads in Brevard, Duval, and Palm Beach counties. These zones were selected based on the high incidence of speeding-related crashes. The Enhanced Penalty Zones are:

- Brevard County, within the limits of Interstate 95 mile marker 206 and mile marker 233 (approximately 27 miles)
- Duval County, within the limits of Interstate 95 mile marker 342 and mile marker 348 (approximately 6 miles)
- Palm Beach County, within the limits of Interstate 95 mile marker 53 and mile marker 59 (approximately 6 miles).

A committee of FDOT and Florida Highway Patrol members worked together to establish the Enhanced Penalty Zones based on legislative criteria. The committee established the lengths of the segments to ensure they would be long enough with sufficient shoulders and medians for stopping violators. They also noted the number of ramps in the selected segments and confirmed no construction was planned for those segments. Warning signs stating “Enhanced Penalty Zone” were strategically placed to mark the beginning and ending of the zone.



The Department of Highway Safety and Motor Vehicles provided law enforcement with a unique Charge Offense Code to be used when writing a uniform traffic citation within the Enhanced Penalty Zones for the purpose of tracking the number of citations written in these areas.

Effective May 1, 2007, law enforcement officers began issuing citations with an enhanced fine of \$50 over and above the regularly established amount. The additional fines are distributed as outlined below.

- \$25 of the \$50 fine is allocated to the Agency for Health Care Administration to provide an enhanced Medicaid payment to nursing homes for Medicaid patients with a brain and spinal cord injury.

- The remaining \$25 of the fine is allocated to certified trauma centers in the counties where Enhanced Penalty Zones are established.<sup>1</sup>

The DHSMV is specifically tasked in law to tabulate the number of citations written in and outside of the Enhanced Penalty Zones to compare the incidence of speeding in these areas. This report is intended to present factual information to comply with this mandate and to summarize the data for legislative decision-making purposes.

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<sup>1</sup> For this report period, there were a total of 1,115 enhanced penalty citations for a total of \$55,750 in additional fines. Distributed as specified, the Agency for Health Care Administration would receive \$27,850 with the trauma centers in Brevard, Duval, and Palm Beach counties receiving the remaining \$27,850.

## Methodology

The crash information in this report is for fiscal years 2006-07, 2007-08 and 2008-09<sup>2</sup>. The FDOT Safety Office's Crash Analysis Reporting System provided the information for crashes that occurred within the three Enhanced Penalty Zones. The FDOT information was complete for FY06-07 although the Enhanced Penalty Zones were not publicly designated until April 2, 2007.

The FDOT provided the information for crashes that occurred outside the Enhanced Penalty Zones in each of the three affected counties<sup>3</sup>. The crash information used included the location of the crash, date of crash, and the time of the crash. Crash reports were counted by the ID number and sorted by zone, date and time. Speeding related crashes are identified in the contributing cause portion of the crash report.

The speeding citation information was provided from the DHSMV database, as reported by the applicable clerk of court. Because DHSMV does not require the clerks to report time of day from the citation, time of day was available on only 35% of the speeding citations issued. The Charge Offense Code was used to distinguish whether the citation was issued inside or outside of the Enhanced Penalty Zone. The data was not sampled; instead the entire population of events was used for the analysis. In 2007-2008, there were 1,979<sup>4</sup> citations issued within the zones, and 267,421<sup>4</sup> citations issued outside of the zones. In 2008-09 there were 1,115 citations issued within the zones, and 210,167 citations issued outside the zones. The speeding citation information used in our analysis was the date and time of the citation.

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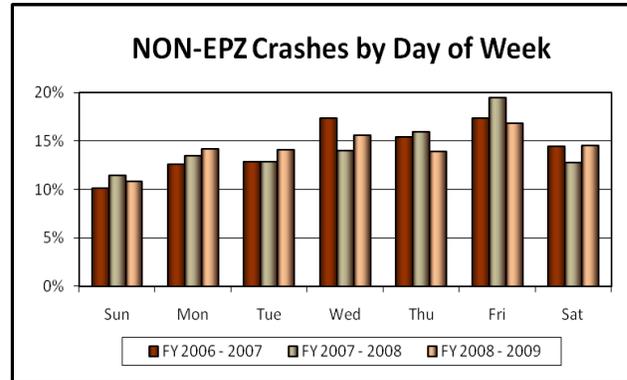
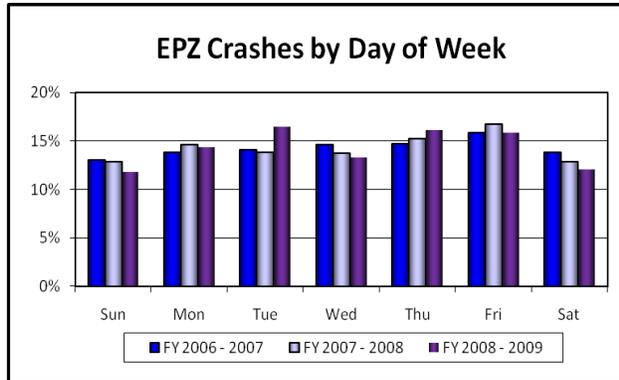
<sup>2</sup> Fiscal Year is July 1 to June 30.

<sup>3</sup> The non-Enhanced Penalty Zone was defined as all portions of the I-95 corridor in the three affected counties not designated as an Enhanced Penalty Zone. The Enhanced Penalty Zones include only roadways in the State Highway System and do not include county or city designated roadways. Crash information is obtained from the crash report written by the investigating officer. The citation information is obtained from the citations written under speed related citation codes as reported to DHSMV by the courts.

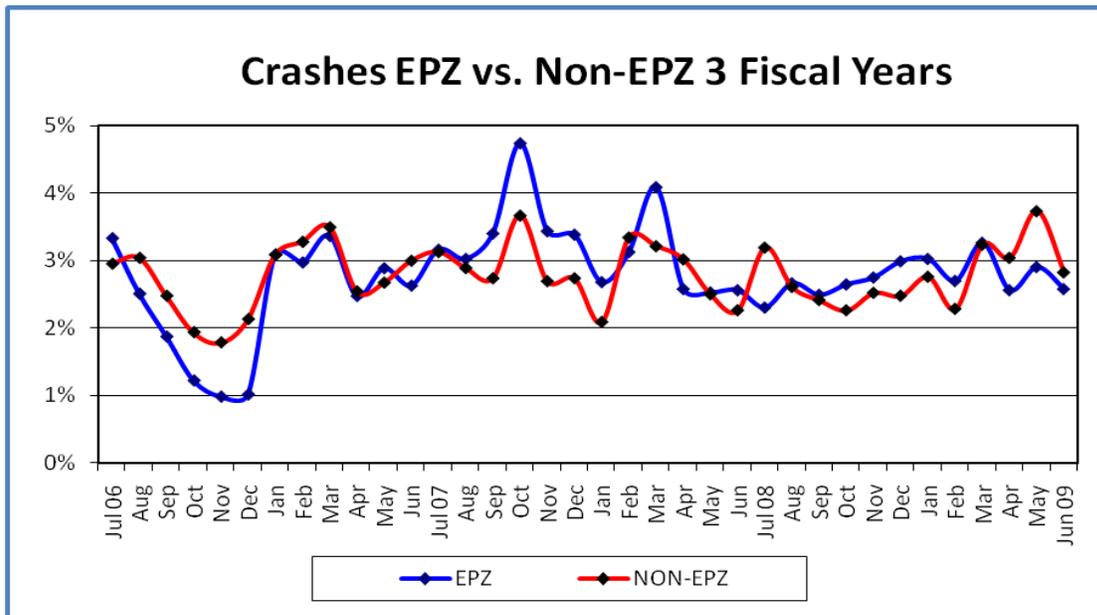
<sup>4</sup> For better accuracy, we have provided revised speeding citation figures from those previously reported.

## Analysis<sup>5</sup>

In regard to crash information within an Enhanced Penalty Zone based on the day of the week, 2008-09 showed a slight increase on Tuesday and proportional declines on all other days of the week. It appears that crashes within the Enhanced Penalty Zones are almost equally distributed among the days of the week, while crashes outside Enhanced Penalty Zones appear to occur more frequently on Wednesdays, Thursdays, and Fridays (approximately 20%), with the fewest crashes occurring on Sundays (approximately 10%).

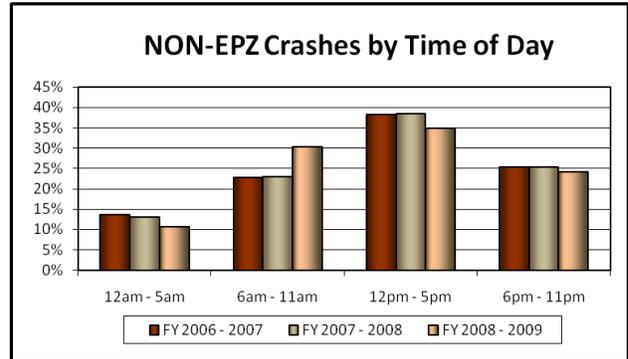
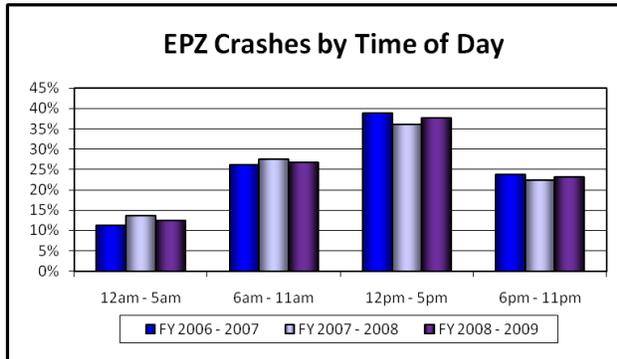


The graph below indicates the crash frequency in a time line as a monthly percentage of all crashes FY06-07 thru FY08-09. This covers a time span prior to and continuing through the period of the Enhanced Penalty Zone enforcement. It appears that crashes within and outside of Enhanced Penalty Zones are not statistically different.

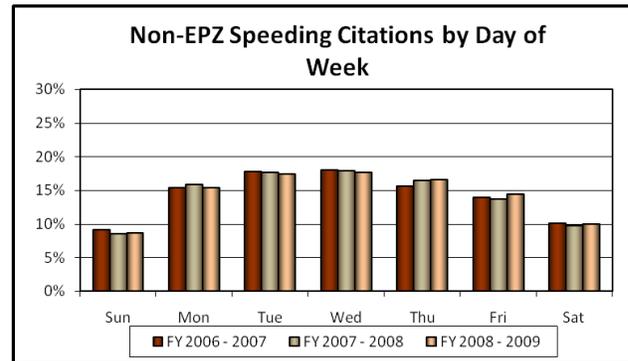
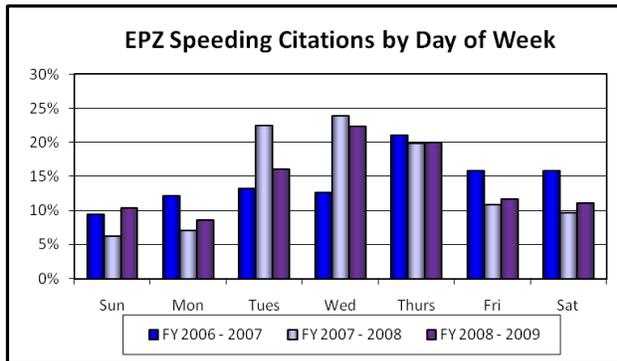


<sup>5</sup> For better accuracy, DOT provided revised crash data for prior fiscal years.

With regard to crash information viewed from time of day crash occurred, crashes within Enhanced Penalty Zones mirror crashes outside the zones and the differences are not statistically significant.

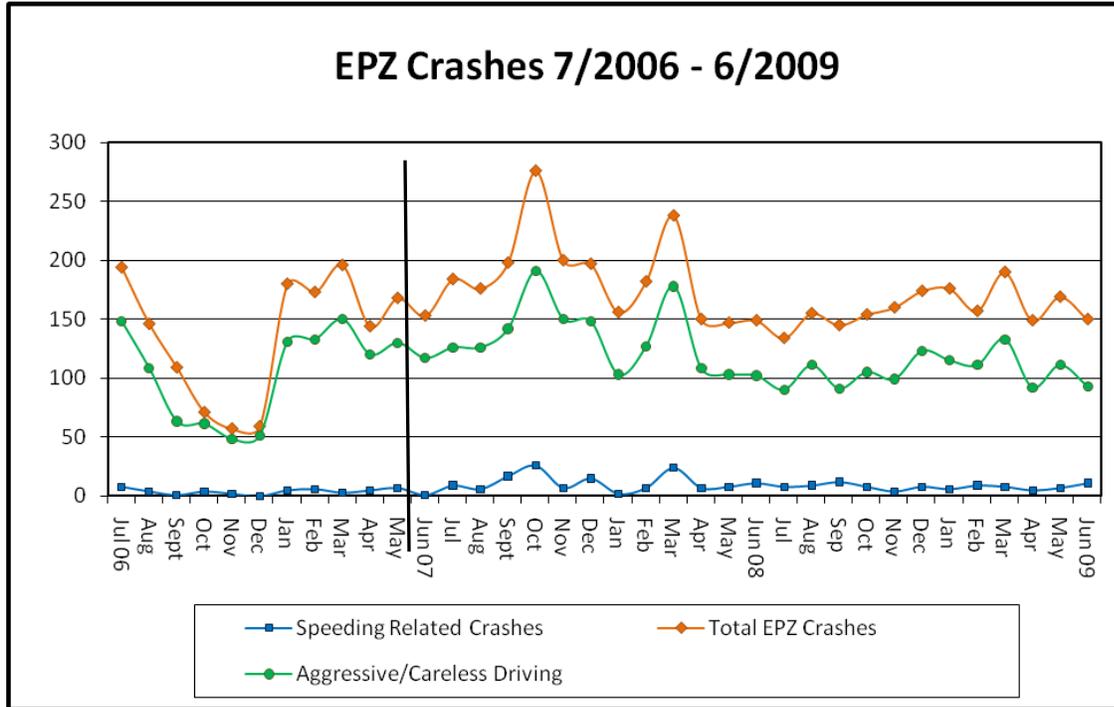


Below are percentages of uniform traffic citations issued for speeding within an Enhanced Penalty Zone by days of the week. Significantly more speeding citations were issued within the Enhanced Penalty Zones on Tuesdays, Wednesdays, and Thursdays; a total of 58%. While numbers of citations issued outside the zones were greater during the middle of the week as well, the numbers of citations issued is more evenly distributed across all days of the week.



Looking solely at the Enhanced Penalty Zone crashes where speeding was listed as a contributing cause, one finds that the percentage of crashes distributed by time of day, day of week and other parameters are nearly identical to the non-Enhanced Penalty Zone crashes where speeding was involved.

The graph below demonstrates that the main factors of crashes in the Enhanced Penalty Zones where contributing causes are classified as aggressive<sup>6</sup> or careless driving. The top line is total crashes; the middle line is aggressive/careless driving behaviors (including speeding); and the bottom line represents crashes where speeding was listed as the primary contributing cause. Please note that the data was for the total period of 2006-07 thru 2008-09 though the zones were not designated until April 2, 2007.



The following is a frequency distribution of contributing causes for crashes in the Enhanced Penalty Zones for 2006-07, 2007-08 and 2008-09.

First Contributing Cause of EPZ Crashes						
	FY 06 - 07	%	FY 07 - 08	%	FY 08 - 09	%
Aggressive/Careless Driving Offenses	1,121	61%	1,421	55%	1,167	52%
No Improper Driving/Action	624	34%	1,055	41%	946	42%
Other Violations	64	4%	99	4%	98	4%
Alcohol or Drug Related	15	1%	7	0%	18	1%
<b>Total</b>	<b>1,824</b>		<b>2,582</b>		<b>2,229</b>	

<sup>6</sup> Section 316.1923, Florida Statutes, defines "aggressive careless driving" as committing two or more of the following acts simultaneously or in succession: exceeding the posted speed; unsafely or improperly changing lanes; following another vehicle too closely; failing to yield the right-of-way; improperly passing; violating traffic control and signal devices.

Crashes in the Enhanced Penalty Zones for all three fiscal years show nearly identical percentages in terms of the number of injuries involved.

Number of injured persons in EPZ Crashes						
	FY 06 - 07	%	FY 07 - 08	%	FY 08 - 09	%
0	842	51%	1,213	54%	1,074	56%
1	485	29%	640	28%	530	28%
2	184	11%	229	10%	190	10%
3 or more	138	8%	171	8%	119	6%
<b>Total</b>	<b>1,649</b>		<b>2,253</b>		<b>1,913</b>	

Listed in the chart below is the distribution of the first harmful event as recorded on the crash report. The collision with a motor vehicle in transport (sideswipe) shows a 46% increase in FY 08-09 from the previous fiscal year whereas in all other cases of harmful events it is the same or lower.

First Harmful Event in EPZ Crashes						
	FY 06 - 07	%	FY 07 - 08	%	FY 08 - 09	%
Collision With MV in Transport (Rear-end)	611	37%	725	32%	612	29%
All Other (Explain)	329	20%	540	24%	487	23%
Collision With MV in Transport (Sideswipe)	305	18%	370	16%	542	25%
MV Hit Concrete Barrier Wall	127	8%	251	11%	206	10%
Collision With MV in Transport (Angle)	133	8%	165	7%	151	7%
Overtuned	92	6%	128	6%	79	4%
MV Hit Guardrail	53	3%	74	3%	62	3%
<b>Total</b>	<b>1,650</b>		<b>2,253</b>		<b>2,139</b>	

## Conclusion:

Public awareness related to the initial designation and implementation of Enhanced Penalty Zones resulted in a short term reduction of speeding citations, crashes, and related fatalities. However, the designation of the Enhanced Penalty Zones did not result in long-term improvements in these measures. Enhanced Penalty Zone data on reduction of speeding-related crashes is not statistically different than data from outside these zones.