

Frequently Asked Questions Traffic Light Safety Program

Why has the City of Apopka decided to implement the Traffic Light Safety Program?

According to the Insurance Institute for Highway Safety, annually nearly 2 million crashes occur in intersections. In 2005, red light running resulted in 800 fatalities and over 165,000 injuries. It is believed that an automated red light camera program will reduce the number of red light crashes and injuries associated with such crashes. The purpose of this program is to increase traffic safety in the City of Apopka. The goal of the program is to reduce red light running violations, red light crashes, and red light injury crashes without impacting city funds.

What is a red light running violation?

Pursuant to Florida Statutes §§ 316.0083, 316.074(1) and 316.075(1)(c)1, it is a violation of the red light if a vehicle proceeds into an intersection equipped with a photographic traffic control monitoring system when the traffic control signal for that vehicle's direction of travel is emitting a steady red signal. When a motorist receives a Notice of Violation, it has been determined that their vehicle has proceeded into an intersection by entering the crosswalk on the near side of an intersection when the traffic control signal, for the direction in which the vehicle was traveling, was emitting a steady red signal. Motorists already in the intersection when the signal changes to red, when waiting to turn for example, are not considered red light violators.

Why did I receive this Notice of Violation?

Based upon images captured by the automated system, your vehicle was determined to have committed a red light violation. As the owner of the vehicle, the Notice of Violation is mailed to you. For every violation captured by the cameras, the images and video are reviewed and approved by an employee of the City of Apopka Police Department before a Notice of Violation is issued and mailed to the vehicle's registered owner.

If I am in the intersection when the light is yellow and the light changes to red, will I receive a Notice of Violation/Infraction?

No. The automated camera system only becomes active once the red light is showing. It will not capture a vehicle if the vehicle enters the intersection prior to the light changing to red. If you entered the intersection on yellow, it is legal to clear the intersection if the light turned red while you were still in the intersection.

What if I am not the driver/owner of the vehicle at the time of the violation?

As the registered owner of the vehicle, you are deemed responsible for the violation and the payment the penalty unless, in compliance with Florida Statute § 316.0083(1)(d)1.a-d, you establish by a sworn affidavit that a statutory exemption applies. The exemptions are that the motor vehicle: (a) passed through the intersection in order to yield the right-of-way to an emergency vehicle or as part of a funeral procession; (b) passed through the intersection at the direction of a law enforcement officer; (c) was, at the time of the violation, in the care, custody, or control of another person; or (d) a UTC was issued by a law enforcement officer to the driver of the motor vehicle for the violation of Florida Statute § 316.074(1) and § 316.075(1)(c)1 stated in this Notice. **The affidavit must be sworn before a notary public or other person authorized to administer oaths.**

If you assert that the vehicle was in the care, custody, or control of another person, you **must** provide the name, address, date of birth, and, if known, the driver's license number of the person who leased, rented, or otherwise had care, custody, or control of the vehicle at the time of the violation. ACCEPTANCE OF THIS ASSERTION BY THE APOPKA POLICE DEPARTMENT WILL RESULT IN THE ISSUANCE OF A UNIFORM TRAFFIC CITATION TO THE PERSON NAMED IN THE AFFIDAVIT. If the vehicle was stolen, then the affidavit **must** include a copy of a police report showing the vehicle to have been stolen. If you assert that a UTC was issued by a law enforcement officer for the violation of Florida Statute § 316.074(1) and 316.075(1)(C)1 stated in this notice, then you must include the serial number of the UTC. For faster processing, you may, but are not required to, include a

copy of the UTC. You may print the form [Affidavit of Non-Responsibility](#).

What happens if I ignore the Notice of Violation/Infraction?

If you fail to respond, a Uniform Traffic Citation ("UTC") will be issued to you, THE FINE AMOUNT UNDER THIS STATUTE FOR THE STATED INFRACTION IS **{ \$258.00 }** and you may become responsible for court fees and costs. Upon issuance of a UTC, you shall have the remedies specified in Florida Statutes § 318.14, which include the right to have a hearing before a designated official, who shall determine whether an infraction has been committed. If the official concludes that no infraction has been committed, no costs or penalties shall be imposed. If the official concludes that an infraction has been committed, the official may impose an additional civil penalty not to exceed \$500 and court fees and costs.

Will I receive any points on my driving record for this violation?

No, this is a non-criminal infraction. However, once the UTC is issued and transmitted to the Clerk of Courts, the Clerk is required to transmit the UTC data and disposition to the Department of Motor Vehicles and Highway Safety through the Traffic Citation Accounting Transmission System (TCATS). Regardless of the disposition, no points will be assessed to the driver record, however, if the owner/driver pays the civil penalty or is otherwise found guilty, the violation will be recorded as a conviction on the owners/drivers record.

Will my insurance rates be affected?

No, this is a non-criminal infraction and is not reported to any insurance agencies. However, the violations is subject to appearing on your driving record once a UTC is issued, however, insurance agencies should not use the violation(s) in determining insurance decisions.

Will the red light cameras take a picture of the driver of the vehicle?

No. A violation of Florida Statutes §§ 316.0083, 316.074(1) and 316.075(1)(c)1 is a civil violation assessed against the owner of the vehicle; it is not a criminal violation. Similar to a parking ticket, there is no need to identify the driver and therefore, no need to capture the image of the driver.

Is this only a revenue generating program?

This is a safety program. Automated safety systems have been shown to reduce red light violations and intersection crashes. Numerous studies throughout the U.S. and worldwide, as well as the experience of many other cities, indicate significant decreases in red light running violations and collisions after cameras were installed. Often times, a spill-over effect results from automated enforcement: other intersections not monitored by automated enforcement also see a decrease in violations and accidents because of the presence of enforcement in other areas of the community.

What if I was issued a citation from an officer for the same offense?

The citation issued by a police officer takes precedence over the Notice of Violation. You must submit an affidavit with the serial number of the UTC that you received for violation of Florida Statute § 316.074(1) and 316.075(1)(C)1. For faster processing of the affidavit, you can include a copy of the UTC.

How much time do I have to pay my Notice of Violation?

The payment or affidavit must be received within 8 days of the due date shown on the front of your Notice, which is thirty days (30) from the issue date of the notice.

How can I pay my fine?

ONLINE PAYMENT: The fastest and easiest way to pay your Notice is to pay online. Go to

www.ViolationInfo.com and logon with your Notice # and Pin # shown in the red box on the front of this notice. Click the Pay button.

PAYMENT BY PHONE: 8:00 AM to 5:00 PM Eastern time Toll free at: **1-866-225-8875**.

PAYMENT BY MAIL: Mail your check or money order (payable to the **City of Apopka, Florida** in the enclosed envelope with the coupon printed at the bottom of the reverse side of this notice. **DO NOT MAIL CASH**. Be sure to put the Notice # (located in the top right hand corner of the notice) on the face of your payment. If you have any questions, please call Customer Service Toll free at: **1-866-225-8875**.

PAYMENT IN PERSON: You may pay in person with a check, money order, or credit card (Visa, MasterCard or Discover) at the Apopka Police Department, 112 E. 6th Street, Apopka, Florida 32703. Our hours of operation are Monday through Friday from 8:00am to 5:30pm (excluding holidays).

What is the Refund Policy?

A refund check may be issued under the following circumstances:

Duplicate and/or overpayment of the same Notice of Violation

Overpayment of the Notice of Violation as a result of a Hearing or Appeal.

If you feel as though you are entitled to a refund, please submit your request on the [Red Light Refund Form](#). Send the completed form to the address specified at the top of the form. Any refunds are submitted to the City of Apopka Finance Department upon approval of the Chief of Police if the payment was received by the City of Apopka.

I have received multiple Notices of Violation/Infraction; do I have to send in a payment for each?

No, you may send one check in one envelope – but you must include coupons for each violation you received. If you received three violation notices, you may send in one check and three coupons but write each notice number on your check. You are financially responsible for each of the violations and the check must be all inclusive of each of the fines. (Three infractions at \$158.00 each totals \$474.00)

What if my check bounces?

You will be responsible for a returned check fee of \$25.00 for handling the bounced check – in addition to any late fees and the original fine amount.

Can I make payments in installments or set up a payment plan?

Payment plans are not available.

I paid the violation; why did I receive another notice?

The notice you just received could be for additional violations or it could be a UTC which is now a past due notice. If it is a past due notice, chances are that your payment and the notice crossed in the mail. It can take as many as 5 business days to show in the system once the payment is mailed. Call 1-866-225-8875 to confirm that your payment was received.

Do I have to pay my fine the day of the hearing?

You must pay the full fine amount within 10 days of a liable judgment unless otherwise ordered by the County Judge or County Magistrate.

What happens if I do not pay the Notice of Violation?

If you fail to respond within 30 days , a Uniform Traffic Citation (“UTC”) will be issued to you, THE FINE AMOUNT UNDER THIS STATUTE FOR THE STATED INFRACTION IS **{ \$258.00 }** and you may become responsible for court fees and costs. Upon issuance of a UTC, you shall have the remedies specified in Florida Statutes § 318.14, which include the right to have a hearing before a designated official, who shall determine whether an infraction has been committed. If the official concludes that no infraction has been committed, no costs or penalties shall be imposed. If the official concludes that an infraction has been committed, the official may impose an additional civil penalty not to exceed \$500 and court fees and costs.

I do not believe I ran a red light. Where can I go to view my images and video?

You can view your images on any computer with an Internet connection. Log on to www.violationinfo.com. To log on to the site you must enter the Notice Number and the PIN Number located at the top right of your Notice of Violation.

I don’t believe I ran a red light and want to discuss my case with someone.

If you choose to appear before an official of the county court or plead not guilty, do not respond to this Notice of Violation. You will receive a Uniform Traffic Citation within 60 days of the Violation Date via certified mail. Instructions will be provided to you by the county clerk’s office as to how you should proceed.

How much do I have to pay for a Hearing?

A person who is found liable after a Hearing can be liable for an additional penalty, courts costs and fees not to exceed \$500 in addition to the amount of the civil penalty assessed for the violation.

Can I schedule a hearing?

No, you cannot schedule a hearing. If you wish to have a hearing, do not respond to the Notice of Violation. A UTC will be issued with instructions on how to proceed for a hearing.

Can I make a hearing request over the phone?

No.

Can someone other than me attend the hearing?

Only you or your legal counsel may appear at an adjudicative hearing.

Is there more than one place that I can attend my hearing?

No.

Can I bring a lawyer to the hearing with me?

Yes.

How do I know that these violations are valid?

Images of your vehicle were captured and recorded by a Traffic Light Safety System. You can review your images and video of the actual occurrence online. The images and video were reviewed by several qualified technicians and finally by the City of Apopka Police Department before the alleged civil infraction was affirmed and mailed to you as the registered owner or identified driver. You have the option of contesting the Notice of Violation by requesting in writing an administrative hearing, at which time you may discuss the validity of the images and video captured on the date and time detailed on the Notice of Violation.

What if the camera was not working or it was defective?

If you look at the front of the Notice of Violation – at the paragraph under the close-up of your license plate – the City of Apopka Police Department states in the first sentence that the Traffic Light Safety System was operating correctly at the time of this violation. You may view your images and video online at www.ViolationInfo.com. You will need your Notice # and Pin # printed on the front of the Notice.

What company provides the red light camera program in Apopka?

The City of Apopka Police Department upon approval of the City Commission has contracted with American Traffic Solutions Inc. to provide the red light camera enforcement program. ATS will install and maintain all equipment related to this program and process all violations captured by the equipment. ATS is an approved vendor as authorized by the Florida Department of Transportation to operate and supply equipment in the State of Florida.