



Public Safety Committee Virtual Meeting Agenda

Thursday, May 1, 2025

MEMBERS: Michael Goodnow (Chair), Anna Mockler (Vice Chair), and Denise Frey

ALSO ATTENDING: City Attorney Kylie Finnell, Court Administrator Lisa Hardy, Fire Chief Pat McGanney, Police Chief Tom Wolfe, Contract Administrator Melinda Monroe.

1. **CALL TO ORDER**

2. **GENERAL BUSINESS**

2A. Meeting minutes for April 2025 presented for approval

3. **NEW BUSINESS/ DEPARTMENT BRIEFINGS**

3A. **COURT** – No specific agenda item

3B. **LEGAL** –

1. Memo re: Automated Safety Cameras (attached)

3C. **FIRE** –

1. Amendment to BMC 10.36.010 Compression Brakes (attached)

3D. **POLICE** – No specific agenda item

3E. **COUNCIL** –

1. Citizen complaints – July 4th Fireworks.

4. **NEXT MEETING**

Thursday, June 5, 2025 at 1:00 p.m.

5. **ADJOURNMENT**



Office of the City Attorney
Kylie Finnell, City Attorney

Memorandum

To: Bremerton Public Safety Committee

From: Mychael Raya
Kylie Finnell

Re: Automated Traffic Safety Camera Revenue

Date: 4/25/25

The following is a general overview of revenue with respect to automated traffic safety cameras and how it can be used, as well as exemptions that exist for Bremerton:

Bremerton has nine (9) automated traffic safety cameras in use within the City.

- Effective June 6, 2024, RCW 46.63.220 restricts how jurisdictions can use traffic camera revenue. This is located within RCW 46.63.220(12) but primarily within RCW 46.63.220(13). I have provided a link below to a MRSC article that does a good job of summarizing those restrictions but will provide explanation within this memo as well. It is important to note that these restrictions DO NOT apply to the current nine (9) cameras in use, and would not apply to the addition of one (1) location for the use of camera(s), based on statutory exemptions within RCW 46.63.220 (exemptions explained in further detail in next bullet point). A synopsis of the restrictions applicable to Bremerton that would ONLY apply to any cameras beyond the current nine (9) cameras plus one (1) additional camera is as follows:

Traffic camera revenue can only be used to cover certain camera program costs and to pay for specified traffic safety activities (such as road design projects to reduce speed or projects to enhance transportation user safety).

Jurisdictions with populations of 10,000 or more must direct a portion of their traffic camera revenue toward projects that “provide direct and meaningful traffic safety benefits” to: 1) areas with household incomes in the lowest quartile; and 2) areas with injury crash rates above the jurisdiction’s average. The directed revenue portion must be at least proportional to the population within these areas.

Jurisdictions that initially place and use a traffic camera after June 6, 2024, must deposit 25% of the camera’s non-interest revenue (after deducting certain allowed camera and infraction processing costs) into the [Cooper Jones active](#)

transportation safety account. These deposits must start four years after the camera's placement.

- EXEMPTIONS - However – Cities with traffic camera programs that were in place prior to January 1, 2024, do have limited exemptions from the revenue restrictions. This is where the number of traffic cameras Bremerton has in use becomes important. (Note: Bremerton adopted BMC 10.42 “Automated Traffic Safety Cameras” in 2007 and amended 10.42.070 re: revenue in 2021). A synopsis of the exemption language is as follows:

In jurisdictions that have implemented traffic camera programs predating January 1, 2024, the revenue restrictions (listed above in my first bullet point) do not apply to stoplight or school speed zone traffic cameras placed before that date, or to stoplight or school speed zone cameras placed after that date that increase the jurisdiction's overall traffic camera numbers by 10% or less. In addition, if these jurisdictions have 10 or fewer stoplight or school speed zone cameras in their pre-January 1, 2024 program, they can add one additional stoplight or school speed zone camera to the program that will be exempt from the above revenue restrictions.

Note: Because Bremerton has 9 cameras in use, only the highlighted language applies to our situation. I only included the “10%” language from the statute to provide context for the Committee.

Here's the exact language from the statute with highlighted language applicable to Bremerton:

46.63.220(13)(d):

(d)(i)(A) Jurisdictions with an automated traffic safety camera program in effect before January 1, 2024, may continue to allocate revenue generated from automated traffic safety cameras authorized under RCW 46.63.230 and 46.63.250(2)(c) as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection, by:

(I) Up to a 10 percent increase in the number of traffic safety camera locations authorized to detect violations for automated traffic safety cameras authorized under RCW 46.63.230; and

(II) Up to a 10 percent increase in the number of traffic safety camera locations authorized to detect violations for automated traffic safety cameras authorized under RCW 46.63.250(2)(c).

(B)(I) Any automated traffic safety camera program in effect before January 1, 2024, with fewer than 10 traffic safety camera locations for automated traffic safety cameras authorized under RCW 46.63.230, which adds automated traffic safety cameras to one additional location for the use of cameras authorized under RCW 46.63.230, may continue to allocate revenue generated from automated traffic safety cameras authorized under RCW 46.63.230 as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection.

(II) Any automated traffic safety camera program in effect before January 1, 2024, with fewer than 10 traffic safety camera locations for automated traffic safety cameras

authorized under RCW [46.63.250](#)(2)(c) as of January 1, 2024, which adds automated traffic safety cameras to one additional location for the use of cameras authorized under RCW [46.63.250](#)(2)(c), may continue to allocate revenue generated from automated traffic safety cameras authorized under RCW [46.63.250](#)(2)(c) as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection.

- Synopsis: If Bremerton adds just one (1) automated traffic safety camera, the revenue restriction exemptions would apply to all nine (9) cameras currently in use, as well as the newly added camera. My interpretation of the intent of the statute is that the revenue restrictions listed in my first bullet point in this memo would apply only to any cameras added beyond one (1). For example, if Bremerton decided to add three (3) new cameras in total, then the exemptions would still exist for the nine (9) previously in use as well as the one (1) addition. The exemptions could not be utilized for the 11th and 12th cameras, in which case all the revenue restrictions listed above would apply to those two (2) cameras. In that scenario, Bremerton would need to determine how much revenue each new camera brought in and make sure the statutory restrictions were complied with.

Links for additional reading/information:

MRSC article 1: <https://mrsc.org/stay-informed/mrsc-insight/february-2025/traffic-cameras-limitations>

MRSC article 2: <https://mrsc.org/explore-topics/public-safety/traffic-safety/traffic-safety-cameras#revenue>

RCW 46.63.220: <https://app.leg.wa.gov/RCW/default.aspx?cite=46.63.220>

BMC 10.42:

<https://www.codepublishing.com/WA/Bremerton/#!/Bremerton10/Bremerton1042.html>

-end-

ORDINANCE NO. _____

AN **ORDINANCE** of the City Council of the City of Bremerton, Washington, amending BMC Chapter 10.36.010 entitled "Compression Brakes".

WHEREAS, this ordinance seeks to align the provisions of City code with State law and County code, and

WHEREAS, the City Council finds that equipping a vehicle using compression brakes with an operational muffler, exhaust system or other lawful apparatus may adequately dampen noise that would otherwise disturb and disrupt the public peace and quiet, and

WHEREAS, muffled compression brakes serve a legitimate purpose of enhancing safety and reducing the rate of deterioration of a vehicle's primary braking system, and

WHEREAS, the City Council desires to amend provisions relating to compression brakes within the City of Bremerton. NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF BREMERTON, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 10.36.010 of the Bremerton Municipal Code entitled "Compression Brakes" is hereby amended to read as follows:

10.36.010 UNMUFFLED COMPRESSION BRAKES PROHIBITED.

No person shall use motor vehicle brakes within the city limits of the City of Bremerton which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof, unless the motor vehicle is equipped with an operational muffler, exhaust system or other lawful apparatus that effectively muffles the noise. It shall be an affirmative defense to prosecution under this section that said compression brakes were applied in an emergency and were necessary for the protection of persons and/or property.

10.36.020 VIOLATIONS - PENALTY.

Any person violating the provisions of BMC 10.36.010 shall have committed a traffic infraction and a maximum penalty of \$250.00 shall be imposed.

10.36.030 AUTHORITY TO POST SIGNS.

The City Engineer is authorized and directed to post appropriate signs consistent with the provisions of BMC 10.36.

SECTION 2. *Corrections.* The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener, clerical, typographical, and spelling errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 3. Severability. If any one or more sections, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 4. Effective Date. This ordinance shall take effect and be in force ten (10) days from and after its passage, approval and publication as provided by law.

PASSED by the City Council the _____ day of _____, 20__.

ERIC YOUNGER,
Council President

Approved this _____ day of _____, 20__.

GREG WHEELER, Mayor

ATTEST:

APPROVED AS TO FORM:

ANGELA HOOVER, City Clerk

KYLIE J. FINNELL, City Attorney

PUBLISHED the _____ day of _____, 20__.

EFFECTIVE the _____ day of _____, 20__.

ORDINANCE NO. _____.