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[00:00:06] Good morning. I will call the safety and security meeting to order here on the 22nd of September. And we'll note that the discussion item that we have is a singular item, which we've heard many complaints from our residents about, which is loud mufflers.

[00:00:26] So I appreciate that we have new legislation. I'd like to acknowledge those who helped champion it, Rip Sullivan, Stella Pacharski to extend legislation to localities and planning districts 8, 9, 15, and 16 to allow for an automated detection and enforcement of exhaust-related violations at 95 decibels or higher. For reference, Fairfax County issued 1,181 citations in 2025 for exhaust system violations, and this is with our patrol officers, which is very significant.

[00:01:07] And I'll note that effective July 1, eligible localities can create a pilot program that can run until July 1 of 2028. So it's a two-year program. So today, we will be discussing the creation of our pilot here in two locations in Fairfax to provide a quick deployment of the technology and to set the stage to expand its use in other parts of the county. So with that background, I would like to now introduce our Deputy County

[00:01:40] Executive, Tom Arnold. He's accompanied by Assistant Chief Jeff Reif for a presentation on this enabling legislation. So thank you. Good morning. My name is Jeff Reif. I'm the Deputy chief of operations support bureau uh seated to my right is major matt lane who runs our traffic division and seated to his

right is sergeant daryl estes he is our resident expert on photo enforcement um what i what we came to talk to you about was the noise abatement program uh from the

[00:02:12] house bill 55 that was enacted enacted into law for july 1st of this year um we as as uh chairman Lusk is saying 95 decibels and above, it's a violation. We have identified technology that we can use to enforce this two-year pilot program. On the next slide, I just want to go over the name of the company that we have identified. So in November of 1990, I'm sorry, November of 2025,

[00:02:46] our traffic division had heard that noise abatement programs may come into effect and may be affecting the Commonwealth of Virginia. So Blue Line Solutions down in Chattanooga, Tennessee, we went down and visited them. And during our visit, we realized that they had photo enforcement, photo speed enforcement, and had noise abatement. So we had already identified technology that looks to be the only in the country back in 2025 of November before the bill was even enacted in July, July 1st. Blue Line Solutions, they have roughly about 100-plus nationwide contracts in photo

[00:03:23] enforcement. They have 27 in Virginia, 100-plus employees, and most of their upper management is retired or former law enforcement. And if we do move forward with this pilot program, we will be the first in the Commonwealth of Virginia to have noise abatement. So the technology is a UK-based company that Blue Line uses. I'm going to have to read off the slide a little bit because this technology is pretty, it's pretty advanced. So on the top, as you can see from the picture on the slide, it's a halo on the top, which is a four-point microphone, and that helps determine depth and

[00:04:01] space, identifying where the noise location is coming from. Below, as an arrow, as you can see, is a fifth microphone, and that measures sound pressures and connects to wide-angle cameras, and that watches like LIDAR does, like a LIDAR system, and it watches for where the sound is moving.

[00:04:19] There's two high-definition directional cameras that are taking separate videos of the vehicles as they're passing, and this provides the double-blind video evidence of the noise plus the vehicle in question. We will show in the next slide a video of the system actually working, but you can see on the still, It shows the reticle will track exactly where the noise is coming from.

[00:04:43] So normally it's right back to where the rear of the vehicle is, where the exhaust system admits the 95-plus decibel sound. These video and pictures are timestamps. When they send us the violations, it's two snapshots, the vehicle plus the vehicle and the tag, and then it's verified with the video.

[00:05:05] All right, let's see if I can get this to roll. So as you can see from the video, the microphone picks up the vehicle before it even enters the area that is being monitored, and the reticle will follow it.

[00:05:29] If you guys want me to, I can attempt to try to play that video again. Let's see if I can do this. See it again?

[00:05:51] I'll play it again for you. We've got it all day, right? Let's do it. So based off 46.2.105.1, the code of Virginia, we have to put a conspicuous sign within 1,000 feet of where the system is.

[00:06:22] On the left side of the slide, this is, it doesn't give anything in the code as far as the size of the sign or anything like that. So we've worked with VDOT to have a sign that's going to be posted. It will be very, very similar, if not the same, to the one on the left side of the slide.

[00:06:38] Again, this is a 95 plus weighted decibel system. So anything above 95 decibels will be triggered for the cameras and the video to track. It must be approved by law enforcement within 30 days of the

violation, and the fines are not to exceed \$100, which are civil.

[00:06:58] There's no DMV record, and there's no report to the insurance company for this. The penalties, any penalties for these violations will be paid to the locality in which the noise abatement equipment is at, and unpaid violators will be eligible for all legal collection activities.

[00:07:18] So the pilot program, we anticipate doing 30 days of messaging like we've done with any other photo enforcement. We'll work with the police department's PAB. Blue Line actually has public information and education material that we can use.

[00:07:37] We can put it on the county website. And then it's going to be a 90-day, 30-day warning period. The notices and warnings will come to the police department and then 60-day enforcement period. We have located two locations that we believe would work best for this equipment to test it.

[00:07:58] Up in the Tyson's Corner, the West Park Drive, Jones Branch area, and then down on the north end of Richmond Highway by Lockheed Boulevard. We've based this on collected data from our station commanders, citizen complaints, and some enforcement that our police officers have done for noise complaints for modified exhaust systems.

[00:08:24] Also, it's a good place for high-traffic locations to test this equipment, since we will be the first in the Commonwealth. Our staffing for this pilot program will be 100 percent by law enforcement officers.

[00:08:39] The code restricts to have current law enforcement officers to verify and check the violations that come in. And then we have been able to work with Blue Line Solutions and come in under \$10,000 at \$9,500 to run the pilot program.

[00:08:58] We believe that this was the best course of action to get this program up and running. This gives us two locations. If we were to rely on an RFP, which we currently are working on right now, it's sitting at DPMM for our photo enforcement, our contract runs out March of 2027.

[00:09:14] What we were afraid of is that this would push us if we had to wait for the RFP into next year, and then by the time we got moving through the steps, we could have been looking at next summer or late early fall. This is only a two-year program, so we felt this was the best thing to do.

[00:09:32] So we have a timeline that's up on the slides there. So step one is the initial site survey. Blue Line Solutions, when they came out to OSB, to our Operations Support Bureau, and gave us a presentation, they literally got up from the desk, left there, and went to the survey locations to make sure that the equipment would actually work at the two places that we had identified.

[00:09:56] We are currently on the green bubble there for site plans. so we have our site plans, we have our permit package, and we will execute the pilot agreement with Blue Line past final approval, and that we are prepared to submit our permits for the locations as early as the 25th of September and a couple days upon approval by the board.

[00:10:21] From then, VDOT gets our permits. It's usually roughly, and we put a timeline in here just based on some of the permits that we've done during our photo enforcement about 45 to 60 days once those are approved blue line will now go out to the locations they will install their equipment and then from there we will they'll submit to dominion power these these abatement cameras work off 110 volt like a normal house but they don't have a battery or a solar option yet so we need to rely on dominion power to get it that could be potentially four to six weeks by the

[00:10:57] time they run power, depending on what they have to do at the location. So again, I'll just go over the next steps. We, again, we, because no power or no solar and battery options, we have to again work on the 110. So Dominion Power is a huge player. And once we get the installation of our equipment there, once they get VDOT approval, Blue Line will have their equipment installed within one to two weeks. The training that we will do, Blue Line will actually, will train our officers based on warnings that we receive in those locations so they're not going to

[00:11:34] be warnings from another part of the country they're going to be warnings that are in Fairfax and they'll train our officers as far as verifying and everything the public information and education materials provided by blue line again we will work with our public affairs office the county website we can bet all that stuff so that the public knows what exactly the equipment is what it does and what the violations are looking for the the poll sites have to be at a 16 to 20 foot height and roughly about 10 feet off the road. So that gave us kind of, when we started looking at locations, also we had to manipulate where we were at just based on what

[00:12:13] the technology needs to properly pick up these violations. Right now we're working with the vendor to see, and they're in the bottom basement stages of potentially finding a mobile platform platform where in the future we could pull a pickup truck up. It'll go to 20 feet, work it off the road, and then now we can move this stuff throughout the county. But that's, again, they're very interested in working on this option, but they're at the basement level for it. So they're going to keep us posted. As far as expansion goes, we are going to evaluate this pilot and see based

[00:12:53] on feedback. We will continually ask for feedback from the board, from citizen complaints, from any types of enforcement that we do throughout the county to potentially look at expansion of this pilot program or expansion of this program. Our new RFP that is in the works with DPMM actually has noise abatement technology worked into it. So the companies that can bid on the RFP will have to have this technology if an expansion is approved past the two-year pilot program.

[00:13:27] And any requests, of course, from the board, we will take our resources and we will move them down there and see what we can do as far as location and traffic and everything and evaluate that. And that's how we'll look at our expansion from there. I kind of breeze through that.

[00:13:45] If you have any questions that I cannot answer, I will kindly defer to my two colleagues to my right because they are more of the experts than I am. I'm just the talking head. Okay, so thank you very much for the presentation, and I will note that this is one solution.

[00:14:03] Obviously, it's not the only solution for us to address this particular issue. This is one that is a bit vexing and certainly one that we hear lots of complaints from folks, but I think it's important that we continue to advocate for future solutions that can prevent some of these exhaust modifications and make hopefully enforcement a little bit easier.

[00:14:26] And I appreciate the thought about having a stand-up truck and then applying the pole and being able to do this in remote locations as well. So that was a very good point, so thank you for that. So let me ask just a couple of questions.

[00:14:43] The first is I noticed in the presentation when you talked about the Richmond Highway corridor, We have three lanes in each direction along Richmond Highway, and I guess I'm understanding that the capacity of the device is up to two lanes per system.

[00:15:03] So just trying to understand how we would address kind of a long three-lane road, the use of this technology and its deployment in those settings. Sure, Major Matthew Lane. So it'll only address the two lanes that are closest to the actual device and the two northbound lanes.

[00:15:24] So it only does those two lanes. It would require multiple devices to cover the opposite lanes of traffic. What we're also trying to prevent is anybody getting two citations by going there. So that's the safest way that we had to do it. But we still wanted it to be at a high traffic location, which would evaluate the technology.

[00:15:41] Okay. I appreciate that. And then I wanted to ask about, on the timeline, I didn't quite note this, but just wanted to make sure, when do you anticipate the pilot actually starting as a projection, and when could we expect to get some results back to the Board of Supervisors?

[00:16:01] Sure. A tentative timeline would be the start around January. Obviously, there's some things in this timeline, such as Dominion, that are outside of our area of control, but a tentative timeline would be right at the end of the year, start in January. Okay. And then I think I heard that we're the first in the Commonwealth to deploy this technology.

[00:16:21] Are there any other jurisdictions across the U.S. or in other places in the country that are using a technology similar to this? There are. So we have the technology that's been used in Tennessee, but there's other jurisdictions. New York City is an example that uses a completely different technology, significantly lower success rate, a lot higher rejection rate.

[00:16:40] So we went with this specific company because of what they offer, because the technology is LiDAR-based. We saw that from feedback with our speed enforcement as well, that that would be an advantage. Okay. Let me go ahead, and I'll conclude there.

[00:16:57] And I will now look to my colleagues, and I'll start with the chairman, and then we'll go to the colleagues after that. Yeah. So this, as you all know, this has a long history. We've been working on this for a lot of years in Richmond. And so I do want to, Chairman Luss had mentioned, thanks to the folks who carried this, but at the end of the day, I want to thank the governor for signing the bill, because the problem we had had in the past is the previous governor had vetoed this bill, and we got a lot of frustrated people who read in the paper about this being passed in Richmond and why we weren't doing it.

[00:17:31] And so it kind of leads me to my comment now, which is I think many of us, and we understand the procurement issue, so I don't want to pick at that. and my hope is that we're able to expand this maybe through a mobile unit or through other means, but I think many of us, when we got the NIP, were surprised to only see two locations in a county of this size.

[00:17:52] And so I guess one of the questions that I have is not knowing what the next procurement is gonna show, do we have any idea preliminarily about what our capacity would even be in the county? Do we think that this is something that, you know, we could take on a significant capacity.

[00:18:10] You mentioned the need for active law enforcement officers to review all of the violations. Obviously, that's a factor in this, and I'm presuming that we're going to try to use some of the same staff resources that we use right now for the other photo technology that we use in the county. But in an ideal world, do you have a thought in your mind about how many of these we might have capacity for?

[00:18:32] Tom Arnold, Deputy County Executive. We have spoken about that, and I think thanks to the board for approving positions that carryover to expand what we're doing with photo speed and school bus stop arm cameras so obviously the same some of the same personnel except those will be retired hired back so we will be focusing on having to use our existing officers but our thought was expansion will be driven on two things really one is the number of tickets that we're writing because we found out with the mobile work zone camera it was writing 20 was it 20,000 I think we had to we had to adjust the speed up

[00:19:06] Because it was going to write thousands per month, which were actually going to exceed what the vendor would even approve, as well as what we had the capacity to authorize. So one is, what's the demand? But then I think, you know, two more importantly is making sure that it's cost effective.

[00:19:21] We know with PhotoSpeed, you know, that's a safety deterrent. I mean, this would be more of a nuisance, but, I mean, it's certainly something that you all hear from. So our hopes are when we have the RFP completed and we see what the costs are, we can report back to you. And if it's something that you're right, we would like to be revenue neutral at least so we're not having to spend general fund dollars to pay for it.

[00:19:44] But that's something if it's a priority of the board we could imagine. So I think expansion will really be driven off of what's the cost and then how many citations is it issuing that we're able to incorporate into both the general district court as well as supply. So I don't want to say a non-answer, but I think we're willing to expand it to the degree that satisfies what you all would feel needed in your districts.

[00:20:06] It's just going to be contingent on those two categories. Yeah, and I think, you know, one of the questions we would have is we're running the pilot, we're running a procurement somewhat, you know, on a similar track. Are we going to have the data from the pilot back in time to really inform the decisions that we might want to make on the wider procurement?

[00:20:28] They've written the RFP we just talked about today. They've included even photo speed as well as red light cameras. So it's got a myriad of options that are expandable. So there's no limitations to it. So if you come back, it'll just be costing and pricing for it, and then whatever we would want to implement is what we'll pay.

[00:20:49] So we won't be limited. So we can run them concurrently without risk of it coming back at a limited amount for what the board would desire. Okay, good. And one other question I have. the location, the chairman was mentioning the Richmond Highway location, and what we saw in the video was a non-signalized stretch of roadway, and what we're talking about on Route 1 is putting this at a signalized intersection of roadway. And so I'm just wondering, you know, from the technology standpoint, is there a reason for that? I mean, obviously, some vehicles at the starting line start out a lot louder than the ones that are flowing past, and I'm just trying to understand

[00:21:28] in the geographic area signalized intersection versus a free-flowing roadway like we saw in the video and what our expectations are when you compare those two. We attempted to use the light pole that's right at the intersection of Lockheed, but the menu was giving us the indication they would not authorize a different utility attached to that same pole. And then within that first

[00:22:01] 500 feet the power lines are too close together so technology couldn't go between the two so they had to move it about three quarter about a quarter about a half mile down the road by the by the swimming pool by the uh community that's right there and that's where the technology get between so it's

not right at the intersection no sir that's just the closest intersection correct sir okay okay i think that that's important to know and then my last question is and i can't remember the enabling legislation, but is there a loophole for certain weighted vehicles? I mean, are you

[00:22:36] going to be, you know, if you're, obviously what our, what our concern is here is people who deliberately skirt the laws in Virginia and put in aftermarket muffler systems after their vehicles are inspected in passenger vehicles largely, but for big trucks and construction equipment, is that, is that a loophole that is outlined in the legislation or how are we looking to deal with that potential problem so the the code says for commercial vehicles and motor vehicles um it is exempt from motorcycles so motorcycles are not in there and then um farm equipment so those are the

[00:23:14] only things that come come in it now um if i if i heard your question correctly like how would the commercial like do the commercial vehicles have a higher decibel threshold no sir so commercial vehicles and motor vehicles are both at 95 decibels okay um and and my last question is with the technology that we're looking at here. And I first, you know, I should have said this at the beginning, appreciate all the research and the urgency that's here to get this in place to at least see what we're dealing with. I guess my question is, with this technology, do we know

[00:23:47] what the error rate is in other locations? And I mean, I just, I can think of a lot of things that could trigger a noise, you know, a certain noise level that may or may not be a vehicle passing at that time and i'm trying to figure out when you have to go back and review all of these as history has shown in other locations is there a target error rate you want to be below and is this technology meeting that so we're going to use the same uh process that we use for our other

[00:24:20] photo enforcement uh things if we see a uh when you when we reject a event then it gives us a drop down box of what we're rejecting it for um and if we see if i see a pattern of why we're if we're rejecting something for the same thing over and over again then I will contact the the vendor and see if we can correct that issue I've just sent an email last week to their mobility who does the school bus arm program we were getting a lot of we're about an 85 86 percent approval rate for them but for elevate for the speed camera with a 97 approval rate so definitely have more of

[00:25:00] an issue but we catch that and then we I address it that's what I do chairman To answer your question about other jurisdictions, there are other jurisdictions. New York City was a good example that had approval rates of significantly less than 50%.

[00:25:15] That's one of the reasons that we went with Blue Line, just because of their technology. Okay. And last, what we saw, that video there, is it capturing video, or is it just capturing a still shot like the speed cameras are? Both.

[00:25:30] So it captures multiple still shots and the video, and that's required in the RFP also to be able to see that for each violation. Okay. I think that's an important distinction because then you can go back and look at the circumstances surrounding everything that was happening in the area. Okay. Thank you. Thank you. Mr. Chairman, I'd like to just add one thing. The one thing that we did like about Blue Line Solutions was they do a two-person violation check before they send it to us, where other companies have been using AI, and AI has, we have noticed some issues when they've come in. So that was one thing that we did like about the vendor, that they literally have two

[00:26:05] human beings looking at it before they send it to us. Really important. Thank you. That's extremely helpful. Okay, so I'm going to go down the row. We'll start with Vice Chair Smith. I want to understand a little bit about picking locations as we move forward with this, because I think in Sully, people live near Route 28, and that's a problem there. And so how are you basing, is it complaints you get from the public about noise? Just help me understand the process to pick locations? Yes, ma'am. So we use a multitude of different avenues to get complaints. So we

[00:26:45] rely on station commanders. We rely on the CACs at the station. We rely on community events, and we can calculate or we can take those complaints, put them together. Fortunately, in the traffic division, we have 26 motor officers, and we can target enforcement throughout the county. So if we start getting calls for noise complaints as far as loud exhausts or anything like that we can target it but we take that data and we track it to make sure so if we look at the sully district and we find out that on the north end of 28 we're getting a lot of complaints from homeowners in the area or cac members or even the station commander calling us something they'll

[00:27:21] reach directly out to us we can now take that and track it so that if the expansion of the program happens we can start looking at that as locations and then when we find those locations blue line solutions or whoever the vendor ends up being can go into that area and say okay Just like the sergeant said, we couldn't put it at the intersection, so we put it three-quarters of a mile up the road.

[00:27:43] So that's how we kind of look at it. It's between complaints, feedback, everything to the police department. Thank you. And this says on any highway. So 28 would be fine. I think 66 would probably be a problem. But could it be on any road?

[00:28:01] Blue Line Solutions will be able to, or whoever the vendor ends up being, could evaluate what it is. it would just be limited to those two lanes of travel like the technology is. Yes, ma'am. Thank you. Next, Supervisor Harry. Yeah, along the same lines, is the technology limited by speed limit?

[00:28:17] I mean, does it capture or do you know? That was a curiosity question. I assume the technology, you can adjust decibels for enforcement just like we do on speed. So you're going to start at 95 or you're going to start a little above or do you know yet?

[00:28:39] We would go with the code. That's the board's also decision. Just like with the speed limit, they want to start us at 10 or start us at 100 decibels. That's your call. But the code starts at 95. I might start a little above 95, see what you get.

[00:28:56] But you're doing a pilot, so maybe you want to start at 95 because it is a pilot. But I'm going to leave that to you all as far as I'm concerned. But as you mentioned on the construction zone cameras, we had to increase those.

[00:29:17] So while we're on construction zone, and, you know, I drive that section of the parkway all the time where we have our first two construction zone cameras. And what I've noticed when the camera was in one spot, you got speed under control at the one spot.

[00:29:39] you got it down to about 35 even though the speed limit was 45 i don't know whether you're intentionally doing this but i noticed it on 64 when i went down to uh to williamsburg and virginia beach um the signs are regularly on the on the northbound side now and the camera moves and you've got speed under control in the entire construction zone it for the most part you never get it completely under

control. I'm hoping we can do some of the same here where we can put some of these signs and I don't know whether there's regulations on where you can put the signs

[00:30:16] but we get this is thinking ahead to the actual where we have more signs and then we move our enforcement around. I think that would be helpful. I think it's been helpful on the parkway to have the signs the length of the parkway and move where you're actually in for I know if you're enforcing it's needs to be within that how many feet thousand feet needs to be within thousand feet but uh hopefully the sign isn't you don't need enforcement to have the sign up there so i i i don't know if you've got any comments on that but that was more of a thought then i got one more and i'll let you

[00:30:53] go sir uh recently i purposely uh pulled permits for four locations northbound and three locations southbound we would have had four southbound um but there wasn't a safe place to get it So we have signs out there right now that we have locations for the trailer that we're going to periodically move them like every 30 or 60 days.

[00:31:17] So wherever we move them, where those signs are, they're within the code. The signs are within 1,000 feet. So we have those positions. We just moved the cameras that were in the south section down by Burke Lake Park at 123. We moved them both north, just north of Braddock Road, between Braddock Road and 29.

[00:31:35] And then we've got that rotation already in effect. Having the signs out in the trailer location moving has helped the whole corridor in terms of speed. So thank you for the strategy. And I think what I'm suggesting is if you can do the same thing here.

[00:31:52] I've got Supervisor Smith's got her spaces, 123, I hear them all the time, the Parkway, certainly on some of our local roads. So we've all got places where they can be. Hopefully people get the word that you don't want to drive in Fairfax with the bad muffler.

[00:32:09] I'll leave you with the last thing, other than a thank you, but as you're going through VDOT permits and Dominion, don't forget that the people on this side of the table have relationships there, and we can help you get that through. So our citizens sometimes forget that we can help them with stuff like that, but don't hesitate to call either the chairman's office or whoever the board member is, or I'm certainly willing to help with some of those folks, but we're here to help you.

[00:32:39] We do appreciate that, sir. We have gained a really good relationship with VDOT. We have a good working relationship right now with them. But we do appreciate the extra push if we need it. Thank you. Supervisor Alcorn. Yeah, thank you, Mr. Chairman. This is good news, I think, moving forward.

[00:32:56] Very happy with this. And I, too, have several spots that I think this could be useful, particularly around Reston Town Center, where you have a lot of people living now and some streets that these vehicles have come past and very loud and waking people up.

[00:33:14] But I did want to follow up on the RFP that was mentioned. Did I hear correctly that the RFP also would include the capability of red light cameras? Is that right? Yes, sir. So we deliberately wrote the RFP for any expansion that the board would like, so red light cameras, and we have the photo enforcement, noise abatement, the work zone stuff.

[00:33:36] So we wrote that LIDAR-based, so if the board decides expansion, then we want to make sure that the vendor that we go with has the capability to do it, and there's no delay in trying to do another RFP

or find someone that could supplement. Thank you for doing that. I think that's really smart.

[00:33:52] I mean, I'm just one supervisor, but I would like to see us go back and actually utilize that authority. I know the General Assembly has gone back and forth with us on that over the years, But probably a good time for us to review that. So thank you. You're welcome.

[00:34:08] So the board could pick and choose from the vendor what they want to do. The technology would be there and available. Fantastic. I didn't make myself clear. Sorry. Oh, that's okay. No, thank you. And my other question is, and this is newer authority and maybe a different vendor, stop sign cameras in school zones is something that was just authorized.

[00:34:29] do you know if that technology could be part of the RFP as well? It's in the RFP as well. Oh, fantastic. Correct. All right. Thank you very much. That's good news. Supervisor Stewart. Thank you, Mr. Chairman. And thank you all very much.

[00:34:44] Very supportive of this. And anybody who particularly is anywhere near Richmond Highway at night, you could hear it loud and clear maybe the difference we can make with this. So very excited about the pilot and very excited about ultimately looking for ways to expand that, There are particularly other hotspots, but one of the core issues we know we have, I mean, as somebody who is very supportive of LPRs, because I think they made a huge difference, but obviously we want to do it carefully and with great focus on privacy and ensuring that it's not misused.

[00:35:19] This also will collect an immense amount of data, particularly the video. When you said that, I went, holy cow, that's a lot of data. And I also could see it being used more than just even noise enforcement. Obviously, if you're wanting to see what happened and you're looking for a particular situation or a particular kind of car, I assume that some of those variances – I'm not a car guy.

[00:35:43] I know the chairman probably could better speak to that than me. So how does this get managed, and what is BLS's reputation, particularly with respect to privacy and audits? Great question.

[00:35:59] And so if you look at the code, the code is actually very restrictive as far as how the data can be used and how long it can be stored. So it can only be stored for 60 days post-adjudication. Now, adjudication can mean multiple things. It can mean the case was rejected or the case was prepaid or that it was found guilty in court.

[00:36:15] Any of those, you're required to purge the data after 60 days. What we're able to do, just for example, in our photo speed enforcement, is we're able to go back and look and see if that data was actually deleted. It'll be the same with BlueLine and with the photo speed enforcement to go back and see, hey, after 70 days, is the data still there to include pictures, license plate data, that kind of thing.

[00:36:39] So this is another situation where the data is kept from the clouds. It's theoretically controlled by BLS, or how does that – I mean, I know that's an important distinction, and maybe we don't have the full information today. I know we're going to be talking about that in about a month, but just any initial thoughts, and if not, then just I would like to at least maybe weave this into our next conversation about data collection and management and so forth.

[00:37:07] And the code is also restrictive as far as how that data can be shared and how it cannot be shared with anyone else. So I want to make sure that's clear, too. This isn't something that we're allowed to

just share that data elsewhere. The RFP requires them to abide by all applicable codes, including county and state.

[00:37:23] The state code that is written for the noise abatement program is very restrictive as far as where the data can go and how long it's able to be retained. I know for the video part of it, it's 21 days. You said 60 for this. Is that? Yes. So this is 462-10-51.1.

[00:37:41] It says 60 days post adjudication. Different standard, in other words, for the audio. And it's also the restrictive. Jump in, Sergeant. What you were mentioning, the 21 days, is the change in the code of Virginia for the speed cameras, for the audio cameras.

[00:37:57] It has to be any information that is collected that has not been issued a violation. So the code talks over itself. As far as it tells us, we have 30 days in the speed, not in this one, but in the speed camera. We have 30 days to approve a summons.

[00:38:13] But then again, it says that any information that's collected for something that has been issued within 21 days has to be purged. So that's what you were talking about. That's not in this code. So it's either it's got to be deleted 60 days after payment of the fine or if it's rejected or if it's not approved within 30 days.

[00:38:36] And also going back to what you said about using that technology for other events, we're not allowed. The code restricts that as well. It's only used just like the speed and the bus arm cameras. It's only the information gathered by the camera is only to be used only for that enforcement of that specific code.

[00:38:55] We can't use it for anything else. Thank you very much. And Supervisor, one thing I would add is, you know, with LPRs, we store that data. We own that data. With PhotoSpeed, the vendors have it, both for PhotoSpeed and for this technology. So I think as we have a conversation a month from now, that is one difference where we have the LPR data.

[00:39:16] We audit it. We know who touches it. with these other instances, you know, that we have to consider, I think, in totality, right, as we talk about what you mentioned. Thank you. One thing I did want to add, according to the code, if the sergeant didn't say it, that every violation, if there is a violation, it's a thousand dollar fine. So if we find that they do something, it's a thousand dollar fine to the vendor. Wow. Okay, Sizemore Heiser. Apologize. Sorry about that. Is that better? Yeah, thank you.

[00:39:51] Thank you for the reminder. So let me start. I'll pick up my colleague left off, and you're saying it's a \$1,000 fine for the vendor, but in the grand totality of the vendor's net worth, how much is that going to be a deterrent to the vendor, do you think, in terms of...

[00:40:11] Here's what I'm going... I think... Let me start. I think this is great. We've heard a lot of complaints from the community. I think we need this. I'm very much in favor of this. And I want to make sure, right, that the data is being used as the code is said, but also just in this atmosphere that we're making sure we have the right safeguards for how the data is used for the protection so that's kind of where my questions are going but i want to frame that with i'm very supportive because i've heard a lot of people complaining about these and i'm very glad the governor signed this legislation but so that i guess is my question is if the the compensation i saw there was a flat fee to the vendor right of like i think ninety six hundred dollars is there

[00:40:50] any additional fees or compensation the vendor gets based on citation numbers or amount of citations that are issued? In the preliminary talks with Blue Line Solutions, they will charge us \$15 or 15%

of any fine that is collected. So if it's a \$100 fine and it's collected, then they get \$15 out of that violation. If it's not collected, they don't get anything for it.

[00:41:21] Because I know in other locations where Blue Line was used, that was an issue with in terms of there's an incentive that creates incentive, right, to have more citations. And if Blue Line owns the data, there's just a little bit of a, is there a check on that to make sure that incentive to have more citations isn't used if Blue Line is getting a percent of each citation that's collected?

[00:41:42] We're going to write the, go ahead, Daryl. So final approval would still be the police department. So we would still have some level of control over how many citations are being issued. I want to go back to what you started with, though, with almost assuming like a potential malicious act of how they would use the data.

[00:41:59] So it's not just the RFP, but our contract is going to state that they have to abide by all laws and regulations. So in that sense, we would then have grounds to terminate the contract with the vendor. Okay. Yeah, and that's, you know, I just want to, in this atmosphere, right, I just want to ask all these questions as we're looking at this. Again, I'm very, very supportive.

[00:42:15] So what I heard you say is Blue Line will control and have the data, correct? as opposed to as the ALPRs are under the police data, what would be in the contract? And if you don't have the answer today, that's fine. That puts guardrails around who in Blue Line has access, where it's stored, how we have access to that data, any of those pieces in the contract.

[00:42:36] And if you don't have that answer, I'm happy to get that offline. But that would be a strong question of mine in terms of the assurance around the data usage, both internally and in Blue Line. I think what we'll do is we'll get that information and we'll share it with the board once we have it all in place.

[00:42:53] Yeah, and including maybe the vendors' recording audit procedures as well, right? What is their record-keeping procedures? What is their audit procedures? What's the history around their data control? I think that's an important piece to ask about. We control the enforcement thresholds, correct?

[00:43:11] That is not on the vendor at all. Correct. So we can change that decibel reading. can also we also have the final level of approval before citations are issued okay um and then you and if all these are built in the contract if then we could terminate the contract if we did find the record keeping for the data isn't what we consider sufficient i guess i'm asking even beyond what the code says right making sure we have those built in place into the contract would be helpful um so i appreciate all of that um my other line of questioning is really on sort of communications to the public. I think I read that you're going to, for the pilot program feedback,

[00:43:47] you're just going to based on board, you know, and then kind of complaints regarding the process. Is there, and maybe I missed it, a proactive sort of outreach to some community groups as you're doing it before we put it in place and while it's there. So if people don't think to complain, but just kind of see how it's going separately, both pro and con, right? Like, I think this is going to be very good for a lot of communities as well. One of the things that Blue Line pitched to for the whole photo enforcement program, they have a real robust community outreach section, which they do flyers.

[00:44:21] They'll do like the campaign yard signs and put it out as well, as well as they'll work with our public affairs, both the county and the PD, to put all the information on the website as well. I think it'll be, that's great. And are those flyers and things in different languages or is that something we would do?

[00:44:42] It will be in different languages. They said they can do it whatever language we need. okay i mean i would encourage me like the top eight languages spoken in fairfax county as a starting point um are does that include from blue line maybe going proactively to some of our strong community stakeholder groups um in maybe the target of the two communities that the pilot are in as well or is it more like where would the flyers go is the question like you know we're going to we're going to utilize like we did with photo speed and we will engage with opa to work on a messaging platform likely we would stand up the website which we did with photo speed advertising that and then we'll certainly share all that information with all of you blue line

[00:45:19] won't be going out to conduct uh information sessions but we will certainly make sure that's all available and work with tony castrilli and his team to ensure that the community is aware i'll just ask one last question i think it'd be good when you have all that set up maybe to share it with community stakeholders and groups that you know are in those communities so then they can share it with their groups that way they don't have to go looking for it perhaps but they you know so just my two cents on that we want to make sure i mean first of all this is a good thing for the board, right? Like people, this is an issue people complained about. We want them to know we're adjusting at it. We also want to make sure we're thinking about the privacy issues as well. So I think that, by two cents, would be helpful. Absolutely. And that would be part of

[00:45:58] the normal operations of our Public Affairs Bureau, which would be partnering with Blue Line in this. Okay, next, Supervisor Palczyk. Thank you, Mr. Chairman. Thank you, all of you. I think a lot of my questions were asked, and I would add, in my office, it's the number one public safety complaint we get we are a very urban area so very much appreciate um the work i appreciate that the one of the pilots in tyson's um i know as a follow-up and we we asked privately but where it's recommended is not a residential area per se um is there a reason why we could not do

[00:46:31] it in the more residential areas of tyson's um and we chose this one instead so again when we're evaluating those locations we're looking at data from a lot of different sources not just uh where the complaints are but when we look at like let's call it a heat map of where our enforcement is and where we're seeing the most citations written we wanted the initial pilot locations to evaluate the technology to be very close to those or right in the middle of that so that we can see exactly how effective the technology is so it wasn't just trying to address all community complaints at once we're trying to evaluate multiple things with a pilot program well i appreciate i know this is a

[00:47:07] pilot my community will be happy to there's something there um and look forward to being able to be more in our residential areas as feasible moving forward. Very much appreciate, I guess my question was going to be, is there any way for us to audit the company, the work they're doing? It sounds like no, but is there a way that we can look at to really be able to have check-ins on the safety? I think this is the slippery slope. I mean, the police department's job is to execute on the technology. We will certainly, we will check the contract to see what is eligible i don't know that we are able to audit their data but i think this is part of

[00:47:45] the challenge and discussion involving photo speed or video based technology i think we have to be very careful with what police is what their role is and we can work with the it the county attorney's office to see what the vendor would allow okay let's go ahead and do that appreciate that um and then you talk about because i was going to ask about 66 um i realized mostly it's more than two lanes but the hot

lanes are generally two lanes is that a place we could look for feasibility on the hot lanes that's a private road that is contracted through the state police

[00:48:20] i don't believe we have so it's not feasible okay yeah i know we get a lot of speed all the 66 goes through the most of 66 through our area so maybe trying to target other places that are feasible other routes 29 667 one clarifying question um i heard both a thousand dollars and a hundred dollars which is it so it's a hundred dollar maximum fine by code to the actual offender the thousand dollar fine is to the vendor um for any violations such as the data breach you were talking about okay now it's clear thank you very much okay supervisor emenez thank you mr chairman thank

[00:48:59] you all just a real quick question i understand this is a pilot but moving forward one of the first things we talked about was kind of a potential hurdle of height because of the height restrictions. Do you see that as a problem moving forward if this pilot were to expand in finding specific areas where this could be placed? The Blue Line Solutions sent their engineers out when we initially met with them, and their engineers actually went out. So if we have a general area that we think, and the engineers will be able, based on the needed height for the equipment and the standoff from the road to be able to tell us in that general area, and then based on power.

[00:49:36] So it doesn't seem like much of a hurdle if this pilot were to expand? If it were to expand, then we could take our areas of concern and start going into those areas and let the engineers will actually come out from Blue Line and look at the area. So they'll be able to tell us our technology will absolutely work here. It will not work here, but if we move it up the road a little bit, it'll work up the road. And then that has to be in partnership with dominion right for the power yeah the biggest challenge that we have is just getting the power to wherever it is so if we if we identify a pole that we can attach it to and dominion gives us the access to it and they are able to run the 110 to it then yes sir all right thank you very much

[00:50:13] you're welcome sir and supervisor bierman so with a red light camera we've all done it before you run through the red light and you see the flash go off and you go dang i just got caught Right. So you said earlier, Deputy Chief, you said that when there's a loud noise, it triggers for the cameras and the video to track. That's how this technology works, right? It's the noise triggers the camera and then it captures it, correct?

[00:50:44] Yes, sir. So the microphone picks up, it identifies where the noise is coming from. Right. The two cameras will then now track towards there and pick up the vehicle, and the halo will narrow it down to what vehicle it is with the cameras. Right. See, I see that as a fundamental difference between speed enforcement or even noise abatement enforcement and an ALPR, which is simply picking up everybody who goes through an intersection.

[00:51:10] That is a fundamentally different thing. I think people have certain concerns about ALPRs that their movements are being tracked whether or not they are engaged in a violation. But with a speed camera, your movements are not necessarily being tracked if you're not engaged in the violation.

[00:51:27] The second you engage in the violation, that's when you are being tracked. So I think that's an important distinction. Though I do think that the data privacy and data issues are very important. and to the degree that we can get anything into a contract that ensures that data is not being misused or these cameras aren't being turned on in a way that doesn't fit the code or doesn't fit the rules that we have in place. But I do think that's an important distinction. I will ask a question. Are either of the two pilot locations in Rip Sullivan's district? No, they're not.

[00:52:02] I understand. So Chairman McKay said, I don't want to pick at the procurement issue. I kind of do. I mean, I think that if we ask a patron to carry this bill for two years down in Richmond, we have to be able to figure out how to deliver faster for that patron.

[00:52:19] and I think that's a good governance and good keeping with our General Assembly delegation. I recognize that there are some challenges here. I wish we could have figured them out. But I also hear that there is real work being done right now to put these pilots in place but also get out that RFP concurrently.

[00:52:40] And I very much hope that the faster we can get one of these into Rip Sullivan's district. By the way, if you don't like the Drainsville district, he has precincts in Hunter Mill as well. so you can put it there. But I do hope that we will have the opportunity to take this technology to those places. As Delegate Sullivan has said, this is the single issue he hears most from his constituents about. At every one of his town halls, people say, when are we going to get the noise abatement? So thank you for your work. Supervisor Behrman, so I want to make one thing clear, though. The reason there's only two cameras is because of the direction to make this happen

[00:53:18] as soon as possible. We could have put them anywhere you wanted if we would have waited for the RFP. The police department, who's not a political body and they're not going to make decisions based on politics, will continue to use data-driven decisions, providing you with those opportunities to certainly seek your all's feedback because you have constituents. But the police department, as long as I'm here, and my job ad goes out on Saturday, so you only have me for five more months, will never make a decision based upon a delegate. We will seek your feedback, But when you ask us to do something and we tell you that it would be the first quarter of the year and you say that's not soon enough and we have to do it sooner, they took every effort they could do.

[00:53:57] They worked through all the challenges. They met with all of the stakeholders. And so this is where we are. So I'm not apologizing because there's not one in Rip Sullivan's district. But we will make our best effort to ensure that when we provide you all the data, we will certainly take any recommendations you have based upon whatever reasons you want, and we will honor that.

[00:54:16] But I would rather not have the police department identify locations based off of political beings. With all due respect, sir, excuse me. Let me close that. Last evening, I had a conversation with our chief of staff, Ben Wiles, on this topic.

[00:54:34] You know, there are times when we have to do the things that we do. I understand where you're coming from, and I understood where Ben was coming from last evening. But the procurement is allowing us to be a pilot. And once we do the pilot, we're able to expand into further and more.

[00:54:51] If it's a pilot, it's in a smaller space. And to get it done quickly, these are the two cameras or two locations that we put them in to get it done per the request of the board.

[00:55:07] Once we have the RFP out, as these gentlemen have stated, you will have a full cadre to implement wherever you want in the county, which will be one of the few jurisdictions that will have that menu.

[00:55:23] So I believe we've done this the right way. I'm sorry that the patron didn't get a camera in his magisterial district since he has two. So sorry, Supervisor Alcorn, I apologize. But in the next four months, three months, we can have it wherever anybody wants it to be, And it will be a good and a successful

program predicated on these three police officers here, as well as our complete Fairfax County Police Department.

[00:55:57] So in my humble opinion, we did it faster, we did it better, and we're going to look for the data to ensure that when they come to this board, you guys can absolutely state why we're doing it, where we're doing it, and what's happening.

[00:56:13] Well, in my opinion, we have data from across the county that this is a problem. We have lots of places where these things could go. Every one of us in our supervisor districts could come up with places where it could go.

[00:56:28] We worked on this for over two years. So in my humble opinion, the RFP should have gone out on July 1st. We're trying to deliver for people faster and at speed. Well, even if it went out on July 1st, we'd still be in this place. Sir, I was not finished.

[00:56:44] I understand that, sir, but this conversation is not a good conversation to have right now. I'm more than happy to have it in my office. Sir, I ended my comments with something positive, and then you tried to accuse me of engaging in playing politics.

[00:57:02] What I'm trying to do is ensure that when we work with a patron of a bill, we are delivering solutions for our constituents at speed. That's all I said. And in fact, I thank the police for their work in dual tracking this to have both a pilot program and to try to be pushing forth an RFP.

[00:57:19] That's how I treated it, and I treated it in a positive manner. But I think we need to know that when people are asking for something for years, they want to see it happen, and we need to try to do it faster. And I've said that across government. That's what our next meeting is about as well, and I don't see that as a problem to ask for that.

[00:57:38] Thank you. Okay. Supervisor Beerman, thank you for your comments, but I'll just make this point, and that is I appreciate the work that's been done by the police department on this issue. I think they have been as expeditious as they can be.

[00:57:54] I want to acknowledge that this pre-pilot, I'm almost going to call it a pre-pilot, is being done based on the concerns that they heard, I think, from you, Supervisor Behrman, and others. So I think we need to work the process.

[00:58:13] We have a process that's underway. This is the first step of it. We have an opportunity to add more locations in the future, and I think that's what they basically said. so i feel comfortable with responses that i've heard and i feel comfortable with the process that is underway uh so with that i think um i've got two points i'll let the chairman go first and second supervisor alcorn yeah i i appreciate that and on that point i would just say um i i appreciate what what you all have done as well to try to get this moving and and you know that's why we did the board matter to try to do this as quickly as we could to show evidence uh of what we know exists

[00:58:50] which is this is a problem but but this will show the clear evidence um i do think you know in the future and i know um jennifer vanney is in the room i do think one of the frustration points that a lot of us have is there is this process in richmond that takes forever um school bus arms were a good example it took supervisor faust and i 10 years to convince the lawyers for our school board that we could do this

um and so there's a lot of reasons why these things take a long time It took us 10 years to get that technology, and so this is not your fault, but the legislative

[00:59:26] political process sometimes takes way longer than it should, and then you get something, and we expect, like, in a week, us to be moving forward with that because we worked on it for so many years, and so I think making sure that, you know, our legislative team is communicating with our county agencies on those. You would not have known that, but I do think that's an important improvement moving forward as we move forward. But I do have a technical question, and I think it's more relevant to when we potentially would do an expansion. But in the program specifics, and I know this is in the bill, is required that a sign be placed within 1,000 feet. And this kind

[01:00:03] of goes back to what Supervisor Herity was talking about. I travel that section of the parkway all the time. You know where the construction site starts, and that's when you start seeing photo enforcement, even though the photo itself enforcement could be a mile and a half, two miles down the road. Those signs are throughout the entire work zone. So this says it must be placed within 1,000 feet, but I don't know if there's a prohibition of placing it outside of 1,000 feet so that, for example, on Route 1, you could be placing these along Lockheed Boulevard,

[01:00:37] which is a pretty heavy residential dense area to start providing them some relief because the minute people start to see the sign they start to change their behaviors or divert or in this case probably divert but in the speed case they start to slow down when they first see these signs so I guess my question is can we do outside of 1,000 feet and when we do these expansions can we do them along an entire corridor, potentially, where we might have one of these cameras placed.

[01:01:08] Chairman, you're correct. Those are only the minimum requirements for the signage. That's also the reason that we're so intent on looking for a mobile enforcement as well to make the enforcement less predictable in nature. Yeah, and I think if we do, you know, for this pilot, I would err on the side of being aggressive in terms of signage, because there are a lot of cross streets along the areas where this camera is going to be that will probably start to get some immediate relief. Now, the problem we have is it's like parking up boats and RVs.

[01:01:37] If the relief is it diverts people off of one side street who have these mufflers onto another side street, then we could be creating a problem for somebody else. But I do think, I just want us to be aggressive on the signage part because I think the signage itself starts to change behavior.

[01:01:55] And I think we should be looking at the area where we're putting these and thinking about some of the side streets and other places where that signage might be appropriate, too. Thank you. Supervisor Alcorn? Thank you. Yeah, just to build on that discussion, I think this was what I was thinking, and thank you for flagging that, Chairman McKay, that this one is not a behavior-based program.

[01:02:18] This is basically the vehicle in the muffler. And so behavior actually – behavior changes might hurt us in terms of implementing this where people drive around and they avoid wherever this is set up.

[01:02:38] So thank you for pointing out on the mobile. That might end up being really important. But because it's not behavior-based, I also expect once we really move on this, we'll probably see a good number of violations and then it's going to really trail off because people will know, they'll change their vehicle, you know, they'll make the adjustment.

[01:02:58] But again, it's not a behavior-based thing. So I'll be very interested to see how the data play out over time because this also might be something that, frankly, especially if we have something mobile, maybe it's a smaller program in five years because it's not as big of a deal and, you know, we just do it as more of a preventative thing because people will know that if they do this, then, you know, there's a chance they might actually get busted for it.

[01:03:28] Well, that's absolutely the hope. And as we have a menu of things that we can move around the county, we hope we are a bit more predictive and hopefully help people understand that you can't do that.

[01:03:45] Supervisor Stewart. Thank you, Mr. Chairman. As you all know, Richmond Highway is going to be widening and changing. And is there a minimum and a maximum distance that these poles can be set up? and is that something that once we do that in a couple years it may need to be moved, any sense of how this reads the highway and how that works?

[01:04:08] Is it something we can do now and it will be able to stay, or is it something that's going to have to move at some point? Any time we have to move the pole, it could be roadway improvements, whatever it may be, the engineers will come out and evaluate, but it's roughly 10 feet standoff distance from the lane and then about 20 feet for the microphone to work perfectly.

[01:04:25] So wherever we can go with the roadway changes, the engineers from Blue Line will immediately respond to us. They come up and they just look at it and will give us an evaluation of where the best place is to put based on power. Thank you. You're welcome, sir. I think you bring up a good point, Supervisor Thorpe, which might be a challenge as well.

[01:04:41] When they mentioned the 10 feet, using Richmond Highway as an example, only able to measure two lanes would be that center lane might be too close to be able to get the speed lanes. And then I think one of the other questions, and I forgot to ask the guys this, would be if we had two cameras close by and it got the same vehicle twice, you're going to get two citations, right?

[01:05:01] And so I think that's something else we'll have to look at is that it's just going to add administrative process, right? Because the company is going to issue them and they're going to evaluate them, and that's technically two violations. I think those will be all of what we'll have to look at probably at the question, the closeness and proximity, right, that we're trying to not run the risk of getting the same vehicle within a matter of minutes.

[01:05:20] Okay. Are there any other questions from my colleagues? Any other points? Okay. So with that, we will go ahead and conclude our meeting for today. So thank you very much to the police department. Thank you for the work, Deputy County Executive Arnold, and thank you for the exceptional questions and comments from my colleagues as well.

[01:05:46] And with that, we'll adjourn the meeting, and it's just after 10.40, and our next meeting is October 20th at 1.30 p.m. Thank you so very much.



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