

SULTAN CITY COUNCIL

AGENDA ITEM COVER SHEET

ITEM NO.

DATE: January 18, 2007

SUBJECT: REDFLEX Photo Enforcement Systems

CONTACT Person: Chief Fred Walser

SUMMARY:

The Chief and Councilman Flower recently attended a presentation by REDFLEX Traffic Systems Inc. in Monroe regarding a Photo enforcement system for traffic signal violations.

The company is willing to provide the city a 15 minute presentation about the system, costs, and benefits.

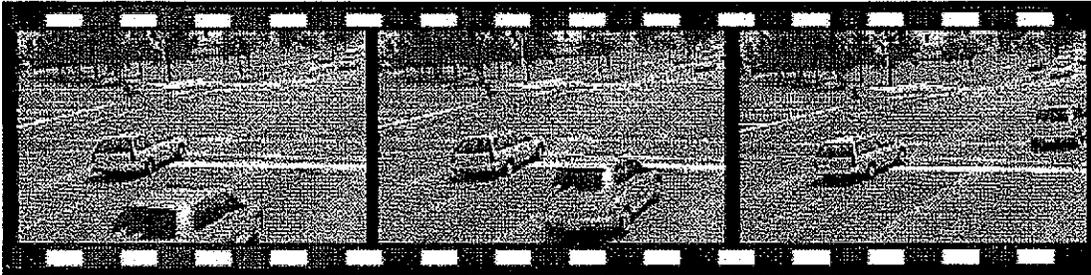
FISCAL IMPACT: None

RECOMMENDED

ACTION:

Invite the company representative to a council meeting for a presentation and evaluation of the benefits of entering into a contract for services with the company.

Attachment.



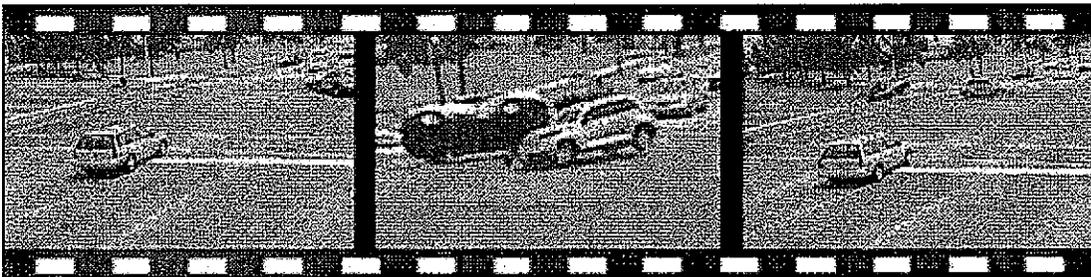
CITY OF MONROE

*Summary of Qualifications:
PHOTO RED LIGHT AND SPEED ENFORCEMENT PROGRAM*

REFLEX
TRAFFIC SYSTEMS



Redflex Traffic Systems, Inc.
6047 Bristol Parkway
Culver City, California 90230
www.Redflex.com



The Redflex Advantage

Redflex is the largest, longest-established, and most successful provider of digital photo enforcement solutions in the United States. On a nationwide basis we support in excess of 600 digital photo enforcement systems and currently process nearly 3,000,000 violations annually for our 90 municipal clients. We are able to offer the City of Monroe a solution that features the lowest risk and highest return based on the following unique qualifications:

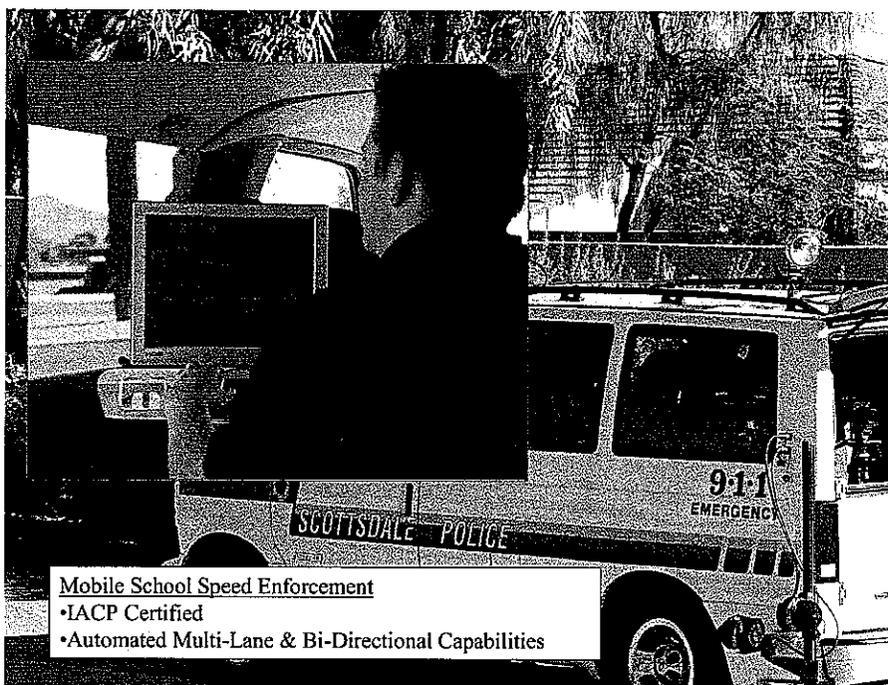
- Operate 1st Digital Program in Washington (Auburn)
- Installation in the cities of Lakewood - the 1st program "operational" in Washington (most experienced user in the state) and Auburn
- Recent selections in Tacoma, SeaTac and Moses Lake
- Largest processing facility in the Western USA
- International Association of Chief's of Police (IACP) certified solutions
- Fully vertically integrated offering
- Significant presence in the Western USA (~180 employees in Scottsdale, 35 in California and three staff members based in the Pacific Northwest)
- Current Washington DOL (Dept. of Licensing) Access
- Only profitable vendor
- School Speed Enforcement in eight (8) states
- Only vendor with no history of program shut-downs & 100% contract renewal
- Most knowledgeable and experienced with Washington Legislature and current legislative environment.

Systems Operational in Pacific Northwest

Operating a system in the Pacific Northwest presents unique challenges due to weather conditions. Redflex has successfully operated photo enforcement systems in the Pacific Northwest since 2001, and currently have systems active in Auburn, Beaverton, Lakewood, Medford and Newberg. We have been selected by the cities of Moses Lake and SeaTac.

Extensive Experience with Red Light and Speed Systems

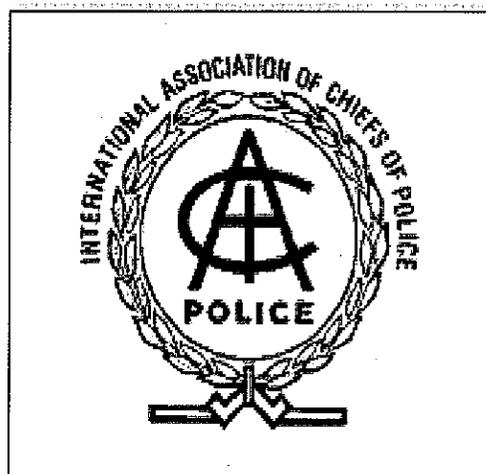
Redflex has extensive, documented experience in both red light camera (RLC) programs and speed systems for school zones. We currently have contracts in 17 states for red light cameras and eight states for speed systems. Our offerings include the following: **Combined RLC/Fixed Speed, Fixed RLC, Mobile Speed Unit, Fixed Speed, and Railroad Crossing.**

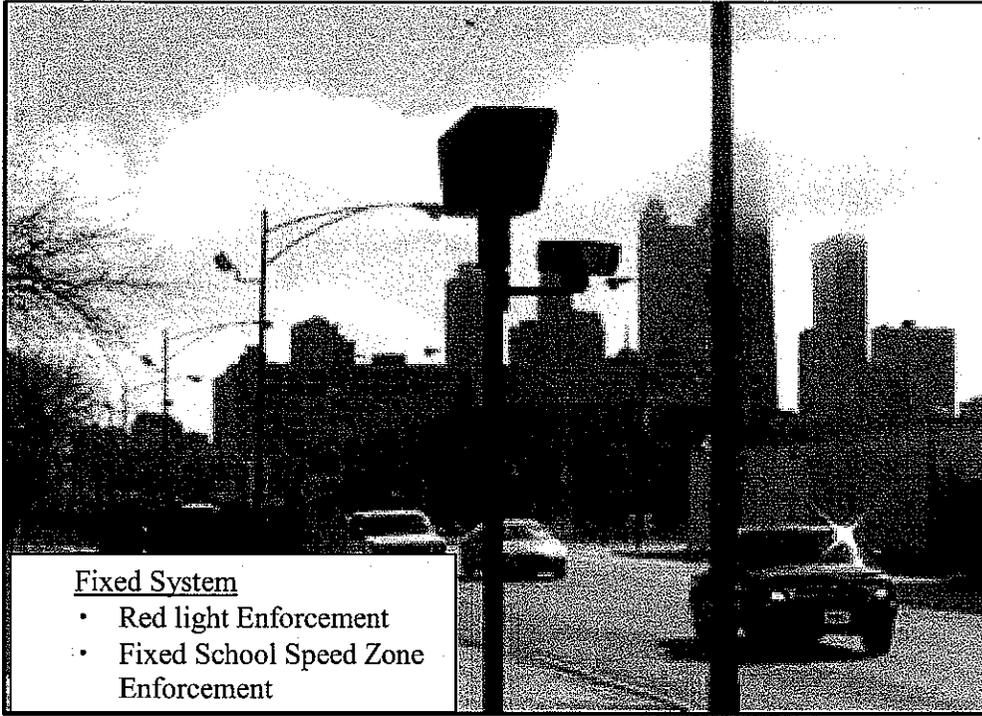


Mobile School Speed Enforcement
•IACP Certified
•Automated Multi-Lane & Bi-Directional Capabilities

IACP Certification

Redflex Speed Systems are certified by the International Association of Chiefs of Police (IACP). This non-profit organization, made up of police executives, tests products both in the laboratory and field, certifying only those systems that meet their strict standards. IACP certification provides the City with peace of mind that they are contracting with a company that utilizes equipment that has been validated by this recognized and trusted third-party organization. In addition to certifying products used in conjunction with law enforcement activities, the IACP provides expert witness testimony regarding the equipment tested.



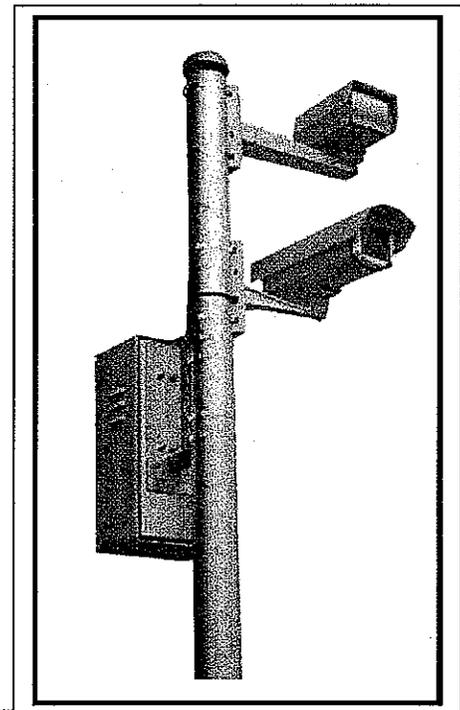


Fixed System

- Red light Enforcement
- Fixed School Speed Zone Enforcement

Redflex Slimline Series

- **Aesthetics:** Smallest system footprint in the industry
- **Modular & Flexible:** Capable of being mounted to free-standing pole or existing city infrastructure
- **Ultra Sharp Images:** New image sensor with 12.4 effective megapixels
- **Non-Intrusive:** Virtual & Video, Lidar and Radar Options
- **Reliable:** Continuous shooting at up to 8 frames per second
- **Precise:** GPS support for the recording of location information with violation data
- **Enforcement Efficiency:** Simultaneous violation capture across all movements
- **24/7/365 Enforcement:** Integrated low watt illumination with ultra-fast recycle intervals
- **Convenient:** Wireless Transmitter for transferring image files directly over a wireless LAN & remotely configurable
- **Live Full-Motion Video:** Live multi-angle full motion video with playback and archiving features



Technology

Redflex is the only solution provider that is fully vertically integrated. This means we engineer and manufacture our own advanced cameras; which are developed at the specification phase to deliver the most effective photo enforcement in the industry.

With extensive patent protections, Redflex is the only vendor that provides cities with a proven combination still camera and full motion video system. Others may attempt to duplicate this set-up, but as a result of our patent protection, these systems cannot provide full integration and protection of the evidence, including the imbedded integrity of using a single central processor to capture, integrate and encrypt each unique violation.



Image captured by our latest digital technology

Superior System Performance

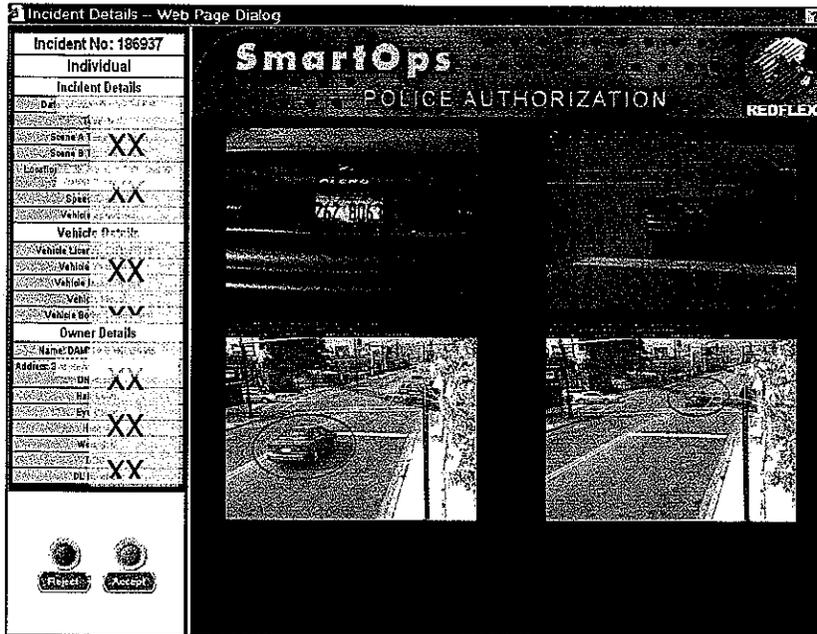
Redflex achieves superior citation capture rates in our installations across the country. The Redflex solution offers the following advantages:

- Incorporates the **integrity of using a single central processor and single time clock in a synchronized fashion**, thus providing undisputable violation evidence
- Provides integrated and **high resolution still images and full motion color video**, which provide the richness, crispness and clarity provided with the industry's highest resolution still cameras and the benefit of situational awareness, ensuring a comprehensive evidence package
- **Simultaneous violation capture across multiple lanes and various movements** to capture multiple violators

With our superior patented technologies the Redflex have been proven to capture simultaneous violations. Our systems are capable of capturing multiple simultaneous violations for: Left-turn and double left-turn movements, straight thru movements, and right-on-red movements. Our technology can effectively capture violations across six lane intersections and are currently deployed in areas with an average daily traffic volume (ADT) in excess of 150,000 vehicles.

Simplified Web-Based Violation Processing

Redflex provides a **web-based, on-line application**, including all hardware required for City citation review and authorization. This user-friendly application is completely web-enabled and can be accessed by assigned users through any computer that has Internet access. The application is available for assigned City and/or Law Enforcement personnel and is completely secure using robust user management and Internet security protocols. The application was developed in conjunction with various law enforcement agencies to **ensure ease-of-use and navigation**.



Interface utilized by city staff to accept/reject violations

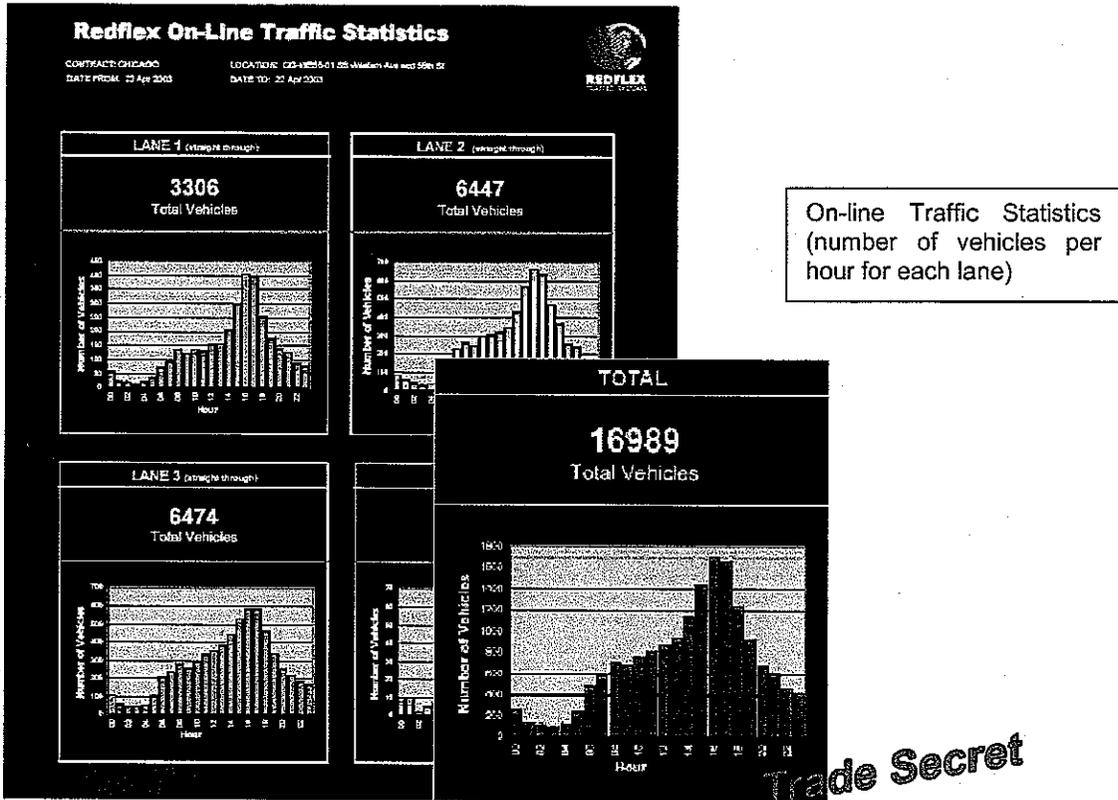
This screen has been designed to provide the digital images, full motion video and information for each incident requiring approval. Redflex provides additional tools on the screen to help ensure that an incident is authorized appropriately, including: Enlarged digital images; Information about the incident; Information about the registered owner of the offending vehicle; and a 12-second video clip

Trade Secret

Robust Reporting Capability

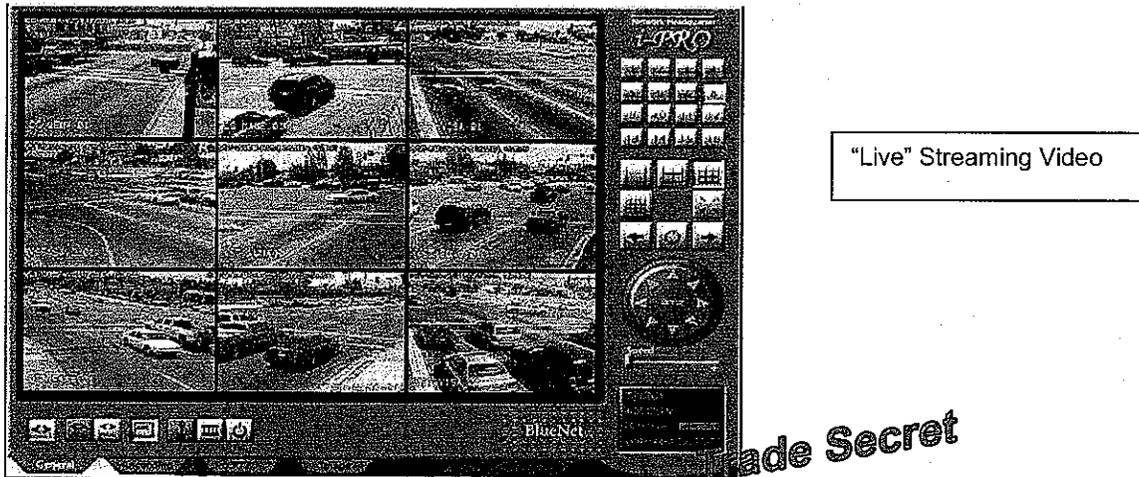
To facilitate the ease of access of valuable data generated by the system, Redflex provides a **comprehensive statistics package** and numerous standard reports. Each report can be easily accessed **on-line via the Internet**. The powerful **Oracle relational databases** underpinning the report generation function allows extensive management reporting to the City and system managers. Reports are easily searchable and information can be effectively downloaded in MS Excel and ACSII formats. These **reports are provided in "real-time"**. The available reports provide detailed enforcement program data including: Management Reports, Violation Reports, Work-in-Progress Reports, Dismissal Reports, Statistical Reports and Operations Summary Reports.

Redflex offers the industry's only **real-time traffic and violation statistical reporting tool**. This tool can provide the City with a large variety of important traffic management and violation statistics, which can be represented through various easy to read graphs and charts. These reports include **real-time traffic statistics**. A sample of the reports available include: Traffic Counts by Lane, Speed of Vehicles by Lane, Total Traffic Volume by Intersection (ADT), and Type of Traffic by Vehicle Axle Count. In addition, the following **real-time violation statistics** are available: Violation Volume by Lane, Violation Volume by Time of Day and Day of Week, and Violation Egregiousness (How Late into the Red Phase). Each of these reports can be queried by setting the specific timeframe of interest, by day, week, month or year.



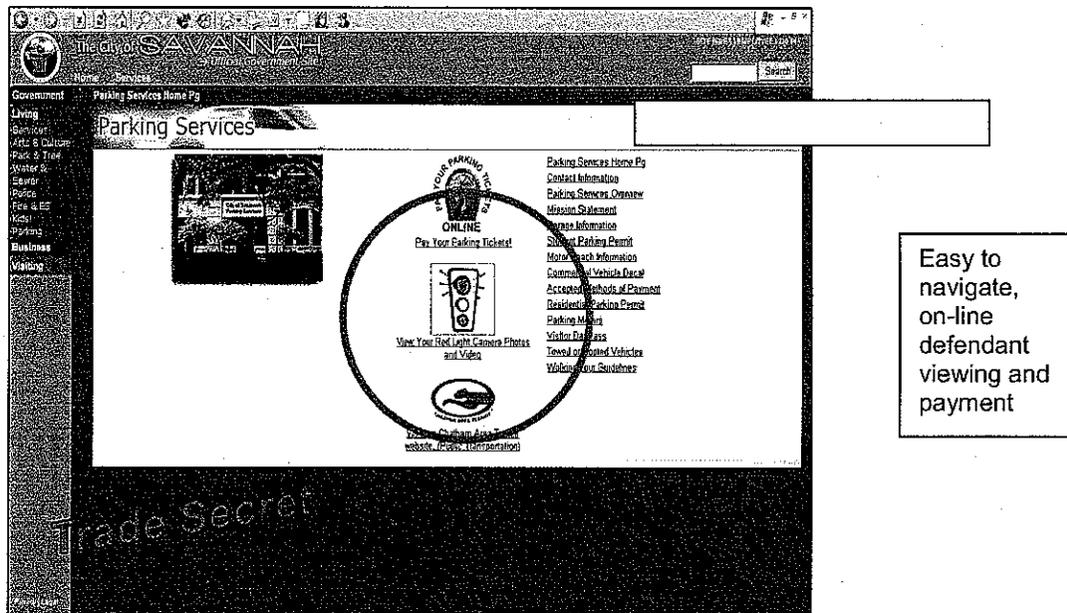
Real-Time Intersection Monitoring & Streaming Video

As shown below, the Redflex solution provides the City with access to streaming video from each intersection 24-hours per day, seven days per week. This new functionality is extremely valuable for Congestion management/operations optimization, Incident Management and 911 Command Center and Disaster Monitoring.



As part of our efforts to provide superior customer service, Redflex offers a very effective means to allow citizens to access and view detailed information, high resolution color digital images and full motion video clips of the violation; **24 x 7 x 365, via a secure Internet site.** We typically include the URL (web address) directly on the citation notice for easy accessibility by the responsible party. In cities like Albuquerque, New Mexico; which issues thousands of citation each month; we have **reduced appeals to .003% of all citations mailed.**

In an effort to improve customer service, we worked in conjunction with the City of Savannah to design an interface where citizens can "launch" directly from the City's Parking Services website.



By clicking on the link above the violator enters a secure website. Once on the website, the defendant can access their violation in view full motion video. They also have the option of paying their citation on line.

Local Support for your Program

The **largest and most robust local Customer Service and Operations Center** in the red light enforcement industry enables Redflex to guarantee the highest service levels possible.

We will provide the City of Monroe a **single point of contact** for all customer service activities and program management. Redflex provides an effective and effecient means for handling frontline customer service and our program staff is dedicated to providing superior customer service. We are pleased to be able to offer a **convenient location for all customer service** and customer support activities, **with a staff of three in the local area, 33 in our Culver City regional office and a total of over 200 employees nationwide.**

Ongoing Commitment

Redflex has demonstrated through our track record of 100% contract renewal, that we will continue to support your program for the entire life of the contract. This support comes in the area of equipment maintenance, assistance in court matters as well as an ongoing community outreach program, all of which are critical to the success of the program. This support is further described below :

- **Comprehensive Maintenance Program**

The industry's **most comprehensive maintenance program**, with service levels that provide **24 x 7 on-call** operators for prompt initial response and a track record of **replacing inoperable equipment within 24- 48 hours**. The Redflex Maintenance Program provides the City with a comprehensive multi-tiered approach that includes Preemptive Maintenance, Remote Status Checks and Physical Inspection.

- **Court Testimony**

Comprehensive adjudication and court support services, including the development of a **court file transfer interface**, court **training** modules, provisions for **court packages** for each hearing and **expert witness** testimony. We will provide documentation and witnesses as necessary, at no additional cost to the City.

- **Evidence Packages/Expert Witness**

A **designated court/evidentiary package** will be provided for each requested hearing. In addition, a qualified and competent expert witness will be made available to testify regarding the accuracy of the system and program. This individual will testify to the accuracy, calibration, maintenance, repair records, technical operational and effectiveness of the Redflex system.

- **Community Awareness**

Public Awareness Campaigns are a critical element to the ultimate success of a Photo Red Light Enforcement Program. Based on our significant experience in rolling out red light camera programs, we are aware of the critical need to communicate effectively with the public when new programs and services are introduced. To this point, as part of our ongoing support and prior to the program becoming operational, Redflex will work closely with the City to develop a comprehensive Public Awareness/Education Campaign. The program will be provided to the City and will include a **"blitz" of public information** commencing prior to program "go-live", followed by continuing education **activities throughout the life of the contract**, which will ensure the continued support of the community.

Purchasing Exceptions – Sole Source Procurement

Technology Differentiation – Why Is Redflex the industry's preferred provider? Redflex is the one and only source that is practicably available. The following product and services are unique to Redflex and are proprietary:

- Only **integrated full motion video and high resolution still camera system** that provides the ultimate technology certification and integrity. This is only achievable by using a **single central processor and time source**; which Redflex has protected with an extensive patent library.
- Highest resolution **cameras that are engineered in-house** for photo enforcement. Using an off-the-shelf camera has greater demonstrated component degradation.
- Only vendor that has supported programs on wide-scale basis across the USA that has 100% contract renewal rates and that has never had a program shut down or service discontinued.
- Only vertically integrated vendor
- Only vendor that **provides "real-time" traffic statistics** modules
- 24x7x365 On-call operations support

Financial Considerations

Redflex is pleased to offer the City a program that achieves the following:

- No out-of-pocket costs
- No financial risk for the lifetime of the contract
- Guaranteed surplus revenue

This unique model **"guarantees surplus revenue", "guarantees no out-of-pocket costs" and "guarantees the City operates a viable and successful photo enforcement program."**

In the event violations are reduced to zero (0), the City would be required to pay Redflex \$0.00.

Northwest References

Name of Client Address	City of Auburn, Washington Auburn Police Department 340 East Main Street Auburn, WA 98002
Client Point of Contact	Commander Greg Wood
Contact Phone Number	(253) 261-7561
Role in Project/Go Live Date	Commander Wood has been involved in the process since the initial stages and is familiar with every aspect of the program.

Name of Client Address	City of Lakewood, Washington Lakewood Police Department 5504 112 th Street SW Lakewood, WA 98499
Client Point of Contact	Tim Lopez, Assistant Chief
Contact Phone Number	(253) 830-5000
Role in Project/Go Live Date	Tim Lopez was involved in the pilot program with another vendor that preceded the award to Redflex. He is familiar with every aspect of the program.

Name of Client Address	City of Beaverton, Oregon Mayor's Office PO Box 4755 Beaverton, OR 97076-4755
Client Point of Contact	Linda Adlard, Chief of Staff
Contact Phone Number	(503) 526-2658
Role in Project/Go Live Date	Linda Adlard was the primary force behind the effort to get photo enforcement legislation passed in the State of Oregon. The program commenced 9/21/01

Name of Client Address	City of Medford, Oregon 411 West 8th St. Room 115 Medford, Oregon 97501
Client Point of Contact	Officer Greg Nichols or Deputy Chief Ron Norris (retired)
Contact Phone Number	(541) 944-6180 (541) 301-1518
Services Provided	Officer Nichols currently runs the program. Deputy Chief Norris was involved in the program from the inception and through the process dealt with a previous vendor that went out of business prior to entering into a contract with Redflex.

Name of Client Address	City of Newberg, Oregon Newberg Police Department PO Box 970 Newberg, OR 97132
Client Point of Contact	Chief Robert Tardiff
Contact Phone Number	(503) 537-1220
Role in Project/Go Live Date	Chief Tardiff has been involved in the process since the initial stages and is familiar with every aspect of the program.

Red Light Camera Safety Benefit Statistics¹:

What safety benefits do red light cameras provide?

Cameras have been shown to reduce red light violations and intersection crashes. Institute evaluations in Fairfax, Virginia, and Oxnard, California, showed that camera enforcement reduced red light running violations by about 40 percent. In Oxnard, significant citywide crash reductions followed the introduction of red light cameras, and injury crashes at intersections with traffic signals were reduced by 29 percent. Front-into-side collisions — the crash type most closely associated with red light running — also were reduced by 32 percent overall, and front-into-side crashes involving injuries were reduced by 68 percent. An Institute review of international red light camera studies concluded that cameras reduce red light violations by 40-50 percent and reduce injury crashes by 25-30 percent.

A recent study sponsored by the Federal Highway Administration evaluated red light camera programs in seven cities. The study found that, overall, right-angle crashes decreased by 25 percent. Results showed a positive aggregate economic benefit of more than \$18.5 million over 370 site years, which translates into a crash reduction benefit of approximately \$39,000 per site year.

The Cochrane Collaboration (an international organization that conducts systematic reviews of the scientific literature on public health issues) recently reviewed 10 controlled before-after studies of red light camera effectiveness in Australia, Singapore, and the United States. The authors reported a 16 percent reduction in all types of injury crashes and a 24 percent reduction in right-angle crashes.

Does the American public support the use of red light cameras?

The large majority of the US public supports red light cameras. A 2000 Institute survey in ten cities — five with cameras and five without — reported that more than 75 percent of drivers supported camera enforcement. A 2002 nationwide survey sponsored by the National Highway Traffic Safety Administration and conducted by the Gallup Organization found that 75 percent of drivers favored the use of red light cameras. A 1996 survey by the Insurance Research Council found that the highest support for red light cameras was in large cities, where 83 percent of respondents supported their use.

¹ Insurance Institute of Highway Safety: <http://www.iihs.org/research/qanda/rlr.html>

City Information

1. City of Auburn Police Department:
101 N. Division St.
Auburn, WA 98001
(253) 931-3080
2. City of Auburn City Council:
 - a. 25 West Main
Auburn, WA 98001
(253) 931-3041
3. City of Lakewood Police Department:
 - a. Chief Larry Saunders
5504 112th St SW
Lakewood, Washington 98499
(253)830-5000
4. City of Lakewood City Council:
 - a. 6000 Main Street SW
Lakewood, WA 98499
(253) 589-2489
5. City of Seattle Police Department:
 - a. Chief Gil Kerlikowske
610 Fifth Avenue
PO Box 34986
Seattle, WA 98124
(206) 625-5011
6. City of Seattle City Council:
 - a. Seattle City Hall
PO Box 34025
Seattle, WA 98124-4025
(206) 684-8888

Sample Enacting Ordinance Language:

Lakewood:

10.4.040- Authorized Use of Automated Traffic Safety Cameras

1. Authority.

- A. Law enforcement officers of the City of Lakewood and persons commissioned by the Chief of Police for the City of Lakewood are authorized to use automated traffic cameras and related automated systems to detect one or more of the following: (1) stoplight violations; (2) railroad crossing violations; and (3) school speed zone violations.
- B. The use of automated traffic safety cameras is subject to the following restrictions:
 1. Use of traffic safety cameras is restricted to two arterial intersections, railroad crossings, and school speed zones only;
 2. Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. Pictures taken by automated traffic safety cameras may not reveal the face of the driver or of the passengers in the vehicle.
- C. The City shall clearly mark all locations where automated traffic safety cameras are in use by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic safety camera.

2. Notice of Infraction

- A. Whenever any vehicle is photographed by an automatic traffic safety camera, a notice of infraction shall be mailed to the registered owner of the vehicle within fourteen days of the violation, or to the renter of a vehicle within fourteen days of establishing the renter's name and address under this section.
- B. If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction is issued, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within eighteen days of receiving the written notice, provide to the issuing agency by return mail:
 1. A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the

infraction occurred; or

2. A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred; or
3. In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty. Timely mailing of this statement to the issuing law enforcement agency relieves a rental car business of any liability under this chapter for the notice of infraction.

C. The law enforcement officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, micro-photos, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter.

3. Request for Hearing

A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail. The person receiving the infraction may also request a hearing.

4. Presumption of Committed Infraction/ Presumption Overcome

- A. In a traffic infraction case involving an infraction detected through the use of a photo enforcement system under RCW 46.63.160 or detected through the use of an automated traffic safety camera under this section, proof that the particular vehicle described in the notice of traffic infraction was in violation of any such provision of RCW 46.63.160, together with proof that the person named in the notice of traffic infraction was at the time of the violation the registered owner of the vehicle, constitutes in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.
- B. This presumption may be overcome only if the registered owner states, under oath, in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner.

5. Infractions Processed

Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120.

Additionally, infractions generated by the use of automated traffic safety cameras under this section shall be processed in the same manner as parking infractions including RCW 3.46.120, 3.50.100, 35.20.220, 46.16.216 and 46.20.270(3).

6. Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030 (1)(a),(b), or (c).

7. For the purposes of this ordinance, "automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit to a school speed zone as detected by a speed measuring device.

(Ord. 401 Â§ 1 (part), 2005.)

AUBURN:

10.42.040 Presumption of committed Infraction – Presumption Overcome

A. In a traffic infraction case involving an infraction detected through the use of a photo enforcement system under RCW 46.63.160 or detected through the use of an automated traffic safety camera under this chapter, proof that the particular vehicle described in the notice of traffic infraction was in violation of any such provision of RCW 46.63.160, together with proof that the person named in the notice of traffic infraction was at the time of the violation the registered owner of the vehicle, constitutes in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

B. This presumption may be overcome only if the registered owner states, under oath, in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner. (Ord. 5957 § 1, 2005.)

In connection with the photo enforcement program for stoplight and/or speed violations, the city council of the city of Auburn authorizes the police chief or his designees to utilize electronic signatures in accordance with the provisions of Chapter 19.34 RCW. (Ord. 5958 § 1, 2005.)

Seattle:

SMC 11.31.090 Traffic infractions detected through the use of an automated traffic safety camera.

A. A notice of infraction based on evidence detected through the use of an automated traffic safety camera must be mailed to the registered owner of the vehicle within fourteen (14) days of the violation, or to the renter of a vehicle within fourteen (14) days of establishing the renter's name and address under subsection C1 of this section. The peace officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation of Section 11.50.140. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction.

B. A person receiving such a notice of infraction may respond to the notice by mail. The registered owner of a vehicle is responsible for such an infraction unless the registered owner overcomes the presumption in subsection E of this section, or, in the case of a rental car business, satisfies the conditions under subsection C of

this section. If appropriate under the circumstances, a renter identified under subsection C1 of this section is responsible for such an infraction.

C. If the registered owner of the vehicle is a rental car business, the peace officer shall, before such a notice of infraction is issued, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within eighteen (18) days of receiving the written notice, provide to the peace officer by return mail:

1. A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

2. A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred; or

3. In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

Timely mailing of this statement to the peace officer relieves a rental car business of any liability under this chapter for the notice of infraction.

D. For the purposes of this section, "automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system and a camera synchronized to automatically record one (1) or more sequenced photographs, microphotographs, or electronic images of the rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal.

E. In a traffic infraction case involving an infraction detected through the use of an automated traffic safety camera, proof that the particular vehicle described in the notice of traffic infraction was in violation of Section 11.50.140, together with proof that the person named in the notice of traffic infraction was at the time of the violation the registered owner of the vehicle, constitutes in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred. This presumption may be overcome only if the registered owner states, under oath, in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner. (Laws of 2005, chapter 167, section 1 and RCW 46.63.075)