

#070268

Legislative Update:  
Red Light Camera Enforcement Programs

March 24, 2008

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submitted  
by  
L.P.D

House Bill 351 & Senate Bill 816

Both allow local government to enforce traffic signal controls using "traffic infraction detectors." Effective date could be as early as July 1, 2008 if passed.

House Bill 351

House Infrastructure Committee unanimously passed HB351 out of its first committee of reference during February committee meetings. In meetings last week with Speaker Rubio, he indicated his support for this legislation. The maximum citation amount allowed in HB351 is currently \$125. Other provisions of HB 351 include "habitual offender" designation for multiple violations & requiring annual reporting from jurisdictions using red light cameras.

Senate Bill 816

Senate Transportation Committee last heard SB 816 on March 11<sup>th</sup>. SB 816 passed favorably as a Committee Substitute (CS), 6 Yeas and 2 Nays.

Transportation Committee Chair Senator Baker offered to strike all amendments that have been added to this bill. SB 816 currently has several add-ons & would have to move through four (4) Senate subcommittees to pass in current form.

Additional components of Senate Bill 816 include:

- Mandates flat fee arrangements with contractors
  - *No per citation fee for contractors*
- Preempts all photo traffic enforcement to the state— regulates citations fees
  - *Due to "preemption" language the county may be prohibited from producing its own local citation on photo enforcement.*
  - *Additionally, the strike all placed a cap on the citation amount at \$60 for the first 3 citations issued to an individual and \$120 for 4 or more citations. A portion of the citation amount will be retained by the jurisdiction with the remainder going to health care trust fund for trauma units.*
- Intersections with traffic cameras must be properly engineered according to DOT specifications.
- Specifies that counties or municipalities can record a maximum of 10 seconds of streaming video of only the back of a vehicle
- If there is a 10% increase in accidents at an intersection where photo traffic enforcement cameras are being used, they must be removed
- Municipalities that entered into contracts prior to March 1, 2008 will have until 2013 to get in compliance with the new proposed law. The citations provisions will take effect immediately

Two (2) Senators opposed the bill. Pittman Law Group spoke with their offices and ascertained that they supported Sen Bennett's bill but had concerns about the amendments strike out proposed by Sen Baker.