HOUSE RESEARCH

Bill Summary

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      Subject: Automated traffic enforcement

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Overview

This bill authorizes local units of government to establish automated traffic enforcement programs to regulate compliance with traffic control signals and establishes requirements for such programs.

Section

1   **Automated traffic law enforcement system.** Defines an automated traffic law enforcement system to be a camera or sensor connected to a traffic control device that is designed to record motor vehicles at intersections.

2   **Record images.** Defines recorded images as those images recorded by an automated traffic law enforcement system.

3   **Violation; penalty for owner or lessee.** Makes a violation of traffic control signal regulations a petty misdemeanor for the vehicle owner or lessee when the violation is recorded by an automated traffic law enforcement system. Establishes exemptions when:

- there is a police report documenting that the vehicle was stolen;

- a lessor can demonstrate that the vehicle is leased; and

- the vehicle owner can demonstrate that the vehicle was sold prior to the violation.

Section

Provides that the vehicle owner cannot be convicted if the driver of the vehicle is convicted for the same violation. Prohibits (1) the use of a conviction under this section as grounds for license revocation and suspension and (2) the commissioner from recording a conviction on a driver's record.

Effective date; sunset.   This section is effective the day after final enactment. Sunsets the statute on July 31, 2010 .

4   **Signal violation detected with automated traffic law enforcement system.**   Authorizes, and establishes general requirements for, an automated traffic law enforcement system.

Subd. 1. Local authority.   Authorizes local units of government to implement an automated enforcement program that issues citations for traffic-signal violations. Establishes program prerequisites, so that the program must:

- be limited to enforcement of traffic-control devices;

- include police department inspection of recorded images before issuing the citation;

- allow citations to be issued through the mail;

- include signage in conformity with state standards that indicates to motorists that automated enforcement is in place; and

- perform engineering reviews prior to installing cameras.

Subd. 2. Fines.   Requires that fines imposed through automated enforcement must be the same amount as equivalent fines from a peace officer citation. Directs fine revenue to be credited to the local unit of government, except that 2.3% must go to the emergency medical services system fund for (1) recruitment and training of ambulance personnel and (2) support of the infrastructure of the emergency medical services response system. Directs the court administrator or judge to impose the criminal surcharge, law library surcharge, and all other fees and surcharges required by law. At least one-half of fine proceeds must be used for law enforcement personnel and be in addition to current funding levels.

Subd. 3. Data.   Requires automated enforcement program data collected by a private company operating under contract to be subject to state data privacy laws. Data may be used only to operate and administer the program.

Subd. 4. Contract.   Prohibits a contract with a private entity that bases payment on the amount of tickets issued.

Subd . 5. Data; report.   Requires any local authority that implements a program to collect and report to the legislature by January 15, 2010 , data on the program.

Effective date; sunset.   This section is effective the day after final enactment. Sunsets the statute on July 31, 2010 .