

CHAPTER 145
AUTOMATED TRAFFIC ENFORCEMENT MOBILE SYSTEMS

Chapter rescission date pursuant to Iowa Code section 17A.7: 5/21/30

761—145.1(321P) General.

145.1(1) Purpose and applicability. This chapter establishes conditions, procedures, and responsibilities for the use of automated traffic enforcement mobile systems to issue citations for violations of the speed limit. These rules apply to local authorities using or planning to use an automated traffic enforcement mobile system.

145.1(2) Overview.

- a. Mobile systems must comply with Iowa Code chapter 321P.
- b. A local authority's use of a mobile system is subject to the population limit identified in Iowa Code section 321P.3(2). However, a local authority of any population may use a mobile system to issue warnings in accordance with Iowa Code section 321P.3(3).
- c. Use of a mobile system is limited to locations identified in Iowa Code section 321P.3(2).
- d. Mobile systems are to be situated in a manner that:
 - (1) Maintains a safe environment for all road users.
 - (2) Allows for free passage along the roadway right-of-way.
 - (3) Minimizes the potential to cause backups or delays.
 - (4) Does not obstruct the view of other road users or traffic control devices.

145.1(3) Contact information. Information relating to this chapter may be obtained from the Traffic and Safety Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010, or at www.iowadot.gov/traffic.

145.1(4) Definitions. The definitions in Iowa Code section 321P.1 apply to this chapter. In addition:

“Automated traffic enforcement mobile system” or “mobile system” means a vehicle, trailer, or other portable apparatus containing one or more automated or remote systems for traffic law enforcement.

“Interstate road” means the same as “interstate roads” as defined in Iowa Code section 306.3.

“Location” means a street address, a block number, an intersection, or a mile marker and includes the direction of traffic being monitored.

“Primary road” means the same as “primary roads” as defined in Iowa Code section 306.3.

[ARC 9144C, IAB 4/16/25, effective 5/21/25]

761—145.2(321P) Conditions for mobile systems.

145.2(1) Placement.

- a. Except when used in a construction zone, a mobile system shall not be placed or parked:
 - (1) Less than 15 feet from any traffic lane of an interstate road unless shielded by a crashworthy barrier.
 - (2) On the outside shoulder of any non-interstate primary road for longer than 72 hours unless shielded by a crashworthy barrier.
 - (3) Within the median or on the inside shoulder of any road.
 - (4) Less than two feet behind the back of a curb on any road.
 - (5) Less than two feet from the edge of any traffic lane on any road.
- b. When used in a construction zone, a mobile system shall be shielded by a crashworthy barrier unless it is placed or parked more than 15 feet from any active traffic lane.

145.2(2) Duration of use. Except when used in a construction zone, a mobile system shall not be used in one location for longer than three consecutive weeks or be used in one location for more than 21 days in any 45-day period. When used in a construction zone, a mobile system may be used in one location for the duration of construction activities.

145.2(3) Public notice. A local authority operating a mobile system shall provide information regarding where and when a mobile system will be used on the local authority's Internet site or social media outlets.

145.2(4) *Vehicles and trailers.* A vehicle or trailer used as a mobile system shall be operated by a law enforcement agency, marked with distinguishing decals, and identified by a distinguishing license plate affixed to the vehicle or trailer.

[ARC 9144C, IAB 4/16/25, effective 5/21/25]

761—145.3(321P) Permitting.

145.3(1) *Initial permit.* A local authority may apply for a permit by submitting a request to the department, following the procedure outlined in Iowa Code section 321P.2(2), for each location where a mobile system is proposed to be used. The department will not issue an initial permit before July 1, 2026.

145.3(2) *Updating an existing permit.* A local authority holding a permit may apply to update the permit with one or more additional locations by submitting a request to the department, following the procedure outlined in Iowa Code section 321P.2(2), for each location where a mobile system is proposed to be used.

145.3(3) *Department review.* The department will review the application within 180 days of receipt and will approve or deny each requested location based on the department's determination that use of a mobile system is appropriate, necessary, and the least restrictive means to address the critical traffic safety issues at that location. Incomplete applications will be returned to the applicant. If approval is granted, the department will issue a permit listing all approved locations.

145.3(4) *Exception for warnings.* Use of a mobile system at a location solely for the issuance of warnings does not require a permit.

[ARC 9144C, IAB 4/16/25, effective 5/21/25]

761—145.4(321P) Annual report.

145.4(1) A local authority using a mobile system shall submit to the department and post an annual report as described in Iowa Code section 321P.5(2).

145.4(2) The report must also include the following information from the previous calendar year for each location listed in the permit:

- a. Number of days the mobile system was in use.
- b. Count of all vehicles traveling past the mobile system while it was in use.
- c. Speed distribution data for all vehicles traveling past the mobile system while it was in use.
- d. Description of any changes in traffic patterns, roadway infrastructure, zoning, or land use.
- e. Identification of any other safety countermeasures that have been implemented.

[ARC 9144C, IAB 4/16/25, effective 5/21/25]

761—145.5(321P) Continued use of mobile system.

145.5(1) *Reevaluation.* The department will utilize information collected from the annual report to assist in annually evaluating the ongoing need for a mobile system at each location listed in the permit. Continued approval of each location will be contingent on the effectiveness of the mobile system in addressing the critical traffic safety issues and the local authority's compliance with these rules and Iowa Code chapter 321P. The department may also consider the following factors in the reevaluation:

- a. Changes in traffic speeds, volumes, or patterns.
- b. Changes in roadway infrastructure.
- c. Changes in zoning or land use.
- d. Implementation or consideration of other safety countermeasures.
- e. Appropriate administration of the mobile system by the local authority.

145.5(2) *Reserve the right.* The department reserves the right to rescind a permit, remove a mobile location from a permit, or require modification of a mobile system.

145.5(3) *Continued use.* A local authority may continue to operate a mobile system at a location listed in the original permit until five days after the date the department rescinds the permit or amends the permit to remove the mobile location.

[ARC 9144C, IAB 4/16/25, effective 5/21/25]

761—145.6(321P) Appeal process. A local authority may appeal a decision made by the department under this chapter by submitting a written explanation of the issues for appeal and any supporting information to

the director of transportation or director's designee (director). Once the director receives the appeal, the department will schedule a contested case hearing within 45 days. The decision by the department's presiding officer is final agency action.

[ARC 9144C, IAB 4/16/25, effective 5/21/25]

These rules are intended to implement Iowa Code chapter 321P.

[Filed ARC 9144C (Notice ARC 8740C, IAB 1/8/25), IAB 4/16/25, effective 5/21/25]