

House File 2214

H-8253

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 331.307, Code 2011, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 14. *a.* Notwithstanding any other
7 provision of law, civil fines collected by a county
8 from the use of an automated traffic law enforcement
9 system shall be allocated as follows:

10 (1) The amount necessary to satisfy contractual
11 obligations of the county relating to the use of
12 automated traffic law enforcement systems shall be
13 retained by the county for that purpose.

14 (2) Moneys in excess of the amount necessary
15 for the purpose specified in subparagraph (1) shall
16 be deposited in the account established in section
17 602.8108.

18 *b.* For purposes of this subsection, "*automated*
19 *traffic law enforcement system*" means a device with one
20 or more sensors working in conjunction with a traffic
21 control signal or device or a speed-measuring device to
22 produce recorded images of vehicles being operated in
23 violation of traffic or speed laws.

24 Sec. 2. Section 364.3, subsection 2, Code
25 Supplement 2011, is amended to read as follows:

26 2. For a violation of an ordinance, a city shall
27 not provide a penalty in excess of the maximum fine and
28 term of imprisonment for a simple misdemeanor under
29 section 903.1, subsection 1, paragraph "*a*". An Except
30 as otherwise provided in this section, an amount equal
31 to ten percent of all fines collected by cities shall
32 be deposited in the account established in section
33 602.8108. However, one

34 *a.* One hundred percent of all fines collected by a
35 city pursuant to section 321.236, subsection 1, shall
36 be retained by the city.

37 *b.* Civil fines collected by a city from the use of
38 an automated traffic law enforcement system shall be
39 allocated as follows:

40 (1) The amount necessary to satisfy contractual
41 obligations of the city relating to the use of
42 automated traffic law enforcement systems shall be
43 retained by the city for that purpose.

44 (2) Moneys in excess of the amount necessary
45 for the purpose specified in subparagraph (1) shall
46 be deposited in the account established in section
47 602.8108.

48 (3) For purposes of this subsection, "*automated*
49 *traffic law enforcement system*" means a device with one
50 or more sensors working in conjunction with a traffic

1 control signal or device or a speed-measuring device to
2 produce recorded images of vehicles being operated in
3 violation of traffic or speed laws.

4 c. The criminal penalty surcharge required by
5 section 911.1 shall be added to a city fine and is not
6 a part of the city's penalty.

7 Sec. 3. Section 602.8108, Code Supplement 2011, is
8 amended by adding the following new subsection:

9 NEW SUBSECTION. 11. The clerk of the district
10 court shall forward to the treasurer of state, not
11 later than the fifteenth day of each month, all moneys
12 received from counties pursuant to section 331.307,
13 subsection 14, and from cities pursuant to section
14 364.3, subsection 2, paragraph "b", for deposit in the
15 road use tax fund.>

16 2. Title page, by striking lines 1 through 2 and
17 inserting <An Act providing for the disposition of
18 fines collected by a city or county pursuant to an
19 automated traffic law program.>

JORGENSEN of Woodbury