

House File 2214

H-8254

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) From civil fines collected for violations
15 committed on roads under the jurisdiction of the
16 county, the county shall retain the amount in excess
17 of the amount necessary for the purpose specified in
18 subparagraph (1).

19 (3) Moneys in excess of the amount retained under
20 subparagraph (1) or (2) shall be deposited in the
21 account established in section 602.8108.

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

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

30 2. For a violation of an ordinance, a city shall
31 not provide a penalty in excess of the maximum fine and
32 term of imprisonment for a simple misdemeanor under
33 section 903.1, subsection 1, paragraph "a". Except
34 as otherwise provided in this section, an amount equal
35 to ten percent of all fines collected by cities shall
36 be deposited in the account established in section
37 602.8108. However, one

38 a. One hundred percent of all fines collected by a
39 city pursuant to section 321.236, subsection 1, shall
40 be retained by the city.

41 b. Civil fines collected by a city from the use of
42 an automated traffic law enforcement system shall be
43 allocated as follows:

44 (1) The amount necessary to satisfy contractual
45 obligations of the city relating to the use of
46 automated traffic law enforcement systems shall be
47 retained by the city for that purpose.

48 (2) From civil fines collected for violations
49 committed on roads under the jurisdiction of the
50 city, the city shall retain the amount in excess of

1 the amount necessary for the purpose specified in
2 subparagraph (1). A city shall not retain any fines
3 collected from violations committed on any portion of
4 a primary or interstate highway including an extension
5 of a primary highway or interstate within the limits
6 of the city.

7 (3) Moneys in excess of the amount retained under
8 subparagraph (1) or (2) shall be deposited in the
9 account established in section 602.8108.

10 *c.* For purposes of this subsection, "automated
11 traffic law enforcement system" means a device with one
12 or more sensors working in conjunction with a traffic
13 control signal or device or a speed-measuring device to
14 produce recorded images of vehicles being operated in
15 violation of traffic or speed laws.

16 *d.* The criminal penalty surcharge required by
17 section 911.1 shall be added to a city fine and is not
18 a part of the city's penalty.

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

21 NEW SUBSECTION. 11. The clerk of the district
22 court shall forward to the treasurer of state, not
23 later than the fifteenth day of each month, all moneys
24 received from counties pursuant to section 331.307,
25 subsection 14, and from cities pursuant to section
26 364.3, subsection 2, paragraph "b", for deposit in the
27 road use tax fund.>

28 2. Title page, by striking lines 1 and 2 and
29 inserting <An Act providing for the disposition of
30 fines collected by a city or county pursuant to an
31 automated traffic law enforcement program.>

WAGNER of Linn