

House File 2450

H-8343

1 Amend House File 2450 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) Of the moneys in excess of the amount necessary  
15 for the purpose specified in subparagraph (1), fifty  
16 percent shall be retained by the county and fifty  
17 percent shall be deposited in the account established  
18 in section 602.8108 for deposit in the road use tax  
19 fund.

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

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

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

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

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

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

46 (2) Of the moneys in excess of the amount necessary  
47 for the purpose specified in subparagraph (1), fifty  
48 percent shall be retained by the city and fifty percent  
49 shall be deposited in the account established in  
50 section 602.8108 for deposit in the road use tax fund.

1 (3) For purposes of this subsection, *"automated*  
2 *traffic law enforcement system"* means a device with one  
3 or more sensors working in conjunction with a traffic  
4 control signal or device or a speed-measuring device to  
5 produce recorded images of vehicles being operated in  
6 violation of traffic or speed laws.

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

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

12 NEW SUBSECTION. 11. The clerk of the district  
13 court shall forward to the treasurer of state all  
14 moneys received from counties pursuant to section  
15 331.307, subsection 14, and from cities pursuant to  
16 section 364.3, subsection 2, paragraph "b", for deposit  
17 in the road use tax fund.>

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

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MURPHY of Dubuque