

Senate File 2148

S-5044

1 Amend Senate File 2148 as follows:

2 1. Page 1, line 2, after <prohibited> by inserting <—
3 exception>

4 2. Page 1, by striking lines 3 through 12 and inserting:

5 <1. Unless otherwise provided in this section, the state or
6 a political subdivision of the state shall not place or cause
7 to be placed on or adjacent to a highway, or maintain or employ
8 the use of, any automated or remote system for traffic law
9 enforcement.

10 2. *a.* The state or a political subdivision of the state
11 may place, cause to be placed, maintain, and employ the use
12 of an automated or remote system for traffic law enforcement
13 on or adjacent to a highway under the state's or political
14 subdivision's jurisdiction, as applicable, which has a speed
15 limit of twenty-five miles per hour and which is located in a
16 school district, as defined in section 321.1, subsection 70.

17 *b.* An automated or remote system for traffic law enforcement
18 designed to work in conjunction with a speed measuring device
19 shall be used only to issue citations to motor vehicles
20 traveling at eleven miles per hour or more over the legal speed
21 limit.

22 *c.* Temporary or permanent signs advising drivers that an
23 automated or remote system for traffic law enforcement is in
24 place shall be posted in clear and present view of passing
25 drivers in advance of the location where the system is in
26 use. The signage shall conform to the manual on uniform
27 traffic-control devices as adopted by the department.

28 *d.* The state or a political subdivision of the state shall
29 not issue a citation resulting from the use of an automated or
30 remote system for traffic law enforcement until an active peace
31 officer of the state or political subdivision, as applicable,
32 has reviewed the citation and any relevant recorded images
33 produced by the system.

34 *e.* The amount of the fine or civil penalty imposed by a
35 citation resulting from the use of an automated or remote

1 system for traffic law enforcement shall equal the amount of
2 the fine for a scheduled violation under section 805.8A for the
3 same or a similar violation of this chapter.

4 f. The state or political subdivision using an automated
5 or remote system for traffic law enforcement shall designate a
6 process by which a person may appeal a citation issued through
7 the use of the system, which at a minimum shall provide for all
8 of the following:

9 (1) An appeal to an impartial body created by the state
10 or political subdivision, as applicable, to review citations
11 issued through the use of the system.

12 (2) Following a decision from the impartial body that is
13 adverse to the person, an appeal to the district court, sitting
14 in small claims, of the county in which the violation occurred.

15 3. For the purposes of this section, "*automated or remote*
16 *system for traffic law enforcement*" means a camera or other
17 optical device designed to work in conjunction with an official
18 traffic control signal or speed measuring device to identify
19 motor vehicles operating in violation of traffic laws, the use
20 of which results in the issuance of citations sent through the
21 mail or by electronic means.>

22 3. Page 1, line 13, after <OF> by inserting <CERTAIN>

23 4. Page 1, line 16, after <enforcement> by inserting <that
24 does not comply with section 321.492C as enacted in this Act>

25 5. Page 1, line 19, after <enforcement> by inserting <that
26 do not comply with section 321.492C as enacted in this Act>

27 6. Page 1, line 26, after <of> by inserting <certain>

28 7. Title page, line 1, after <of> by inserting <certain>

29 8. Title page, line 2, after <of> by inserting <certain>

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