
FISCAL UPDATE Article

Fiscal Services Division

May 1, 2018



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IOWA SUPREME COURTS RULES AGAINST DOT'S AUTHORITY OVER TRAFFIC CAMERASS

Court Decision. On April 27, 2018, the Iowa Supreme Court issued a [ruling](#) against the Department of Transportation's (DOT) authority to regulate traffic cameras, and remanded the case back to the district court. The cities of Des Moines, Cedar Rapids, and Muscatine had filed a suit against the DOT and the Transportation Commission's administrative rules, which regulated the use of automated traffic enforcement (ATE) devices.

The ruling invalidates 761 IAC ch. [144](#) of the Iowa Administrative Code, which required local authorities to justify locations of ATE devices with the DOT and annually evaluate the effectiveness of each location. ATE device locations were to be renewed based upon compliance of the rules and effectiveness of improving traffic safety.

Background. The following table shows the revenue and number of violations issued by the cities for FY 2017.

Estimated Violations and Revenues from ATE Devices
(As of Jan. 26, 2018)

<u>Local Authority</u>	<u>Fiscal Year</u>	<u>Number of Violations Issued</u>	<u>Local Authority Revenue*</u>
Cedar Rapids	FY2017	124,346	\$ 4,029,318
Des Moines	FY2017	77,146	3,140,062
Muscatine	FY2017	11,012	586,066
Totals		<u>212,504</u>	<u>\$ 7,755,446</u>

* Collected revenue may include fine moneys collected through the Iowa Offset Program for violations issued in prior years.

Source: Local authorities

In May 2017, the cities ceased issuing violations from ATE devices on the primary road system following an initial court ruling, but did not remove the devices. It is not known if or when the cities may resume issuing violations from the ATE devices, or what fiscal impact the ruling may have on the cities, although the fiscal impact is expected to be positive.

In 2014, after review from the DOT, Council Bluffs, Davenport, and Sioux City ceased issuing violations from some ATE device locations on the primary roadways. It is not known at this time if those cities may resume issuing violations from these locations again. ATE devices located on secondary or city roads were not impacted by the court ruling and are still operating per the local authorities' discretion.

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