



---

**SF 2148** – Automated Traffic Law Enforcement Ban (LSB5244SV)  
Analyst: Michael Guanci (515.729.7755) [michael.guanci@legis.iowa.gov](mailto:michael.guanci@legis.iowa.gov)  
Fiscal Note Version – Revised (fiscal impact)

---

**Description**

**Senate File 2148** prohibits the use of automated traffic enforcement (ATE) devices by State and local authorities. This Bill requires the removal of all existing ATE devices by July 1, 2018.

**Background**

As of January 2018, eight cities operate 78 speeding and red light ATE devices. The State does not operate any ATE devices on the primary road system.

In January 2014, the Department of Transportation (DOT) adopted an administrative rule that regulated the use of ATE devices on the primary road system. In March 2015, the Department ordered nine traffic cameras on the primary road system to be removed. Of the nine ordered removed, seven remained in use pending rulings on several lawsuits filed by cities against the DOT. The ATE devices operating on secondary or city roads are not impacted by the DOT's existing administrative rules.

In April 2017, the Iowa district court for Polk County ruled that the DOT had the authority to regulate ATE devices on the primary road system. The ruling was upheld in June 2017 by the Iowa Supreme Court. By May 2017, the cities of Cedar Rapids, Des Moines, and Muscatine ceased issuing violations from ATE devices on the primary road system. Automated traffic enforcement devices operating on secondary or city roads were not impacted by the court ruling and are still operating per the local authorities' discretion.

Polk County declined to renew its vendor contract for ATE devices, and ceased issuing violations from its two mobile units in December 2017.

Under Iowa Code section [8A.504](#), the Department of Administrative Services (DAS) operates the Iowa Offset Program which can withhold certain State payments on behalf of local authorities to individuals and companies that do not pay their ATE violations. DAS charges \$7 per violation collected to offset the costs of administering the Program. Fees are deposited into the DAS general operating budget. The cities of Council Bluffs, Des Moines, Davenport, Fort Dodge, Muscatine, and Windsor Heights participated in the Program in FY 2017. Cedar Rapids has a signed agreement with the Iowa Offset Program; however, as of January 2018, the city has not submitted any unpaid violations for collection.

**Assumptions**

All existing ATE devices will cease operation on or before July 1, 2018. **Table 1** provides data on the number of ATE devices, base cost per violation, vendor's share, and share of local authorities' revenues.

**TABLE 1**

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

| <b>Local Authority</b> | <b>Fiscal Year</b> | <b>Number of Operating ATEs</b> | <b>Number of Violations Issued</b> | <b>Number of Violations Collected</b> | <b>Base Cost per Violation*</b> | <b>Vendor Revenue</b> | <b>Local Authority Revenue**</b> |
|------------------------|--------------------|---------------------------------|------------------------------------|---------------------------------------|---------------------------------|-----------------------|----------------------------------|
| Cedar Rapids           | FY 2017            | 28                              | 124,346                            | 66,405                                | \$ 75                           | \$ 2,095,213          | \$ 4,029,318                     |
| Council Bluffs         | FY 2017            | 12                              | 18,869                             | 12,367                                | 100                             | 507,047               | 732,170                          |
| Davenport              | CY 2017            | 14                              | 39,807                             | 22,785                                | 65                              | 478,485               | 1,002,540                        |
| Des Moines             | FY 2017            | 8                               | 77,146                             | 76,811                                | 65                              | 1,852,576             | 3,140,062                        |
| Fort Dodge             | FY 2017            | 2                               | 7,169                              | 5,776                                 | 75                              | 165,403               | 274,517                          |
| Muscatine              | FY 2017            | 9                               | 11,012                             | 9,430                                 | 75                              | 254,610               | 586,066                          |
| Polk County            | FY 2016            | 2                               | 6,888                              | 6,780                                 | 65                              | 198,560               | 282,192                          |
| Sioux City             | FY 2017            | 2                               | 18,932                             | 21,001                                | 100                             | 648,075               | 1,427,745                        |
| Windsor Heights        | FY 2017            | 3                               | 22,273                             | 16,627                                | 65                              | 268,345               | 526,989                          |
| <b>Totals</b>          |                    | <b>80</b>                       | <b>326,442</b>                     | <b>237,982</b>                        |                                 | <b>\$ 6,468,314</b>   | <b>\$12,001,599</b>              |

\* Lowest violation amount. Actual violation amounts may increase depending on miles over the legal speed limit.  
 \*\* Collected revenue may include fine moneys collected through Iowa Offset program for violations issued in prior years.  
 Source: Local authorities

Fees paid to DAS for unpaid ATE device violations will cease over time as the local authorities collect a decreasing number of unpaid violations.

### **Fiscal Impact**

It is estimated that SF 2148 will reduce revenue to the DAS by approximately \$75,000 in FY 2019. It is not known how much in fees for outstanding violations may be collected in FY 2020.

The Bill will decrease revenue to local authorities by an estimated \$12.0 million per fiscal year. Refer to the totals in **Table 1** for revenue decreases per local authority. **Table 2** provides data on which local funds would be impacted.

**TABLE 2**

| <b>Local Funds Receiving ATE Revenues</b> |                                  |
|---|----------------------------------|
| <b>Authority</b>                          | <b>Fund Impacted</b>             |
| Cedar Rapids                              | General Fund                     |
| Council Bluffs                            | General Fund                     |
| Davenport                                 | General Fund                     |
| Des Moines                                | Police Operating Expenses        |
| Fort Dodge                                | Salary Expenses for Police Dept. |
| Muscatine                                 | Police Dept.                     |
| Polk County                               | Public Safety Fund               |
| Sioux City                                | Public Safety Projects           |
| Windsor Heights                           | General Fund & Police Dept.      |

### **Sources**

Cedar Rapids City Manager's Office  
 Council Bluffs Public Works  
 Davenport Police Department  
 Des Moines Government Relations  
 Fort Dodge Police Department  
 Muscatine Finance Department

Polk County Sheriff's Department  
 Sioux City Police Department  
 Windsor Heights Police Department  
 Iowa Department of Transportation  
 Department of Administrative Services

/s/ Holly M. Lyons

February 6, 2018

---

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

---