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HF 2048 – Motor Vehicle Traffic Cameras, State Ban (LSB 5038YH)

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Fiscal Note Version – New

Requested by Representative Walt Rogers

Description

House File 2048 prohibits the use of Automated Traffic Enforcement (ATE) systems in Iowa. The Bill defines ATE systems as devices with one or more sensors that work in conjunction with a traffic control signal or device or a speed-measuring device to produce recorded images of vehicles being operated in violation of traffic or speed laws. Further, the Bill requires local authorities with ATE systems in use to suspend operations on or before the effective date of this bill and remove all ATE systems by July 1, 2012. However, all notices of violations mailed or citations issued prior to suspension are not invalidated and subject to full processing according to the law.

Background

According to the National Conference of State Legislatures, more than 400 U.S. communities use red-light cameras and more than 40 communities use cameras to enforce speed laws. Currently, there are seven cities in Iowa that have ATE systems in use. These cities are Cedar Rapids, Clive, Council Bluffs, Davenport, Des Moines, Muscatine, and Sioux City. Each city has selected monitoring locations based on crash and safety data and history for red-light intersections and speed enforcement. In a response to a League of Cities survey, the cities indicated decreases in red-light crashes at intersections with ATE cameras, reduced crashes citywide, as well as reduced injuries resulting from crashes.

The ATE vendors are responsible for equipment installation, ownership, and ongoing maintenance. Revenues from the cameras are deposited in the general fund of each city. The ATE vendors retain a portion of the revenues for providing the services and equipment for the cameras. The amounts depend on the specific contracts between the vendors and the cities. Each city pays for personnel and any legal costs associated with the ATE program, as well as other overhead costs of running the ATE program. In a League of Cities survey, cities reported that ATE program revenues support various public safety and traffic improvement initiatives including portable radar detectors, public awareness initiatives, public safety staffing/resources, public safety technologic improvements, trucks for traffic signage and repair, portable traffic signals, and special traffic cones.

Current Situation-Statistics

2011 ATE System Violations*						
City	Cedar Rapids	Clive	Council Bluffs	Des Moines**	Muscatine	Sioux City
Red-light	3,199	14,263	17,174	Unavailable	1,927	9,178
Speeding	99,760	n/a	n/a	Unavailable	17,828	8,619

*According to the League of Cities survey of cities using ATE systems.

**The Des Moines ATE system program has not yet completed a calendar year.

At the State level, for traffic sign or signal violations under Iowa Code section [321.256](#), there is a \$100 fine in accordance with Iowa Code section [805.8A](#)(8).

2011 Fees Associated with Violations for Cities Using ATE Systems*			
City	Red-light violation	Speeding violation	Vendor fee
Cedar Rapids	\$100	Tiered: 12-20mph over at \$75, 21-25 at \$100, 26-30mph at \$250, 31+mph at \$500; majority of fines are at \$75	Flat fee of \$30 per violation.
Clive	\$100	n/a	Tiered: ranging from \$28 to \$48 per violation.
Council Bluffs	\$107.25	n/a	Tiered: \$33 to \$49 per violation.
Davenport	\$65	Tiered: 12-20mph over at \$65, 21-25mph at \$85, 26-30mph at \$95, 31-35mph \$110, 36-40mph at \$112, 41+mph at \$150	<i>Vendor fee information not provided.</i>
Des Moines	\$65	Tiered: 1-15mph over at \$65, 16-20pmh at \$75, and 21+mph at \$80 plus \$2 per mph over 80 mph	Flat fee of \$25 per violation.
Muscatine	\$75	Tiered: \$75 to \$350 for violators 31+ mph over the limit	Flat fee of \$27 per speeding or red light violation.
Sioux City	\$100	\$100	\$2,500 per month per approach plus \$17.50 per paid red light violation. In addition, \$20 to \$25 per speeding violation.

*According to the League of Cities survey of cities using ATE systems.

Assumptions

- Cities will have the same number of red-light violations in 2012 as in 2011.
- Cities and vendors will retain revenues at the same percentages as before.
- All violations provide revenue from the fines levied without reduction for violations that may be appealed or dismissed.
- Revenue calculations are solely based on the number of violations and fee per violation and do not reflect any variations in earnings. This assumes that all violators pay the fines. In actuality, not all do pay. Roughly 15-25.0% of violations issued go unpaid. In the case of an unpaid ticket, the ATE vendor does not receive revenue.
- Calculations do not include criminal penalty surcharges (35.0% of the fine per Iowa Code section [911.1](#)) or civil court fees.
- Fines are tracked by administrators.

Summary of Impacts

There is no fiscal impact to the State's General Fund or the Road Use Tax Fund (RUTF).

Local Fiscal Impacts

Local revenues in all eight cities that have ATE systems might be affected by the elimination of fees for violations caught by red-light and speed enforcement cameras. According to a League of Cities survey, potential revenue loss is estimated at \$7.5 million for all seven cities* each year and \$4.4 million would be collected by the vendors.

**The Des Moines program has not yet completed a calendar year and is not included in this amount.*

It is unknown if the specifics of the contracts between the cities and the vendors might affect these decreases further.

Sources

League of Cities (Survey of Cities w/ATEs)
League of Cities Cityscape Newsletter
Department of Transportation
Department of Public Safety
National Conference of State Legislatures

/s/ Holly M. Lyons

February 1, 2012

The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the correctional and minority impact statements were prepared pursuant to **Iowa Code section 2.56**. Data used in developing this fiscal note, is available from the Fiscal Services Division of the Legislative Services Agency upon request.
