

Senate File 101 - Introduced

SENATE FILE 101

BY ZAUN

A BILL FOR

1 An Act relating to the compensation of vendors of automated
2 traffic law enforcement systems used by a city or county.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.307, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 14. *a.* Civil fines collected by a county
4 from the use of an automated traffic law enforcement system
5 shall be allocated as follows:

6 (1) Not more than five percent of the amount collected shall
7 be paid to the vendor with whom the county has a contract for
8 the use of the automated traffic law enforcement system.

9 (2) The amount in excess of the amount paid under
10 subparagraph (1) shall be retained by the county.

11 *b.* For purposes of this subsection, "*automated traffic law*
12 *enforcement system*" means a device with one or more sensors
13 working in conjunction with a traffic control signal or device
14 or a speed-measuring device to produce recorded images of
15 vehicles being operated in violation of traffic or speed laws.

16 Sec. 2. Section 364.3, subsection 2, Code 2015, is amended
17 to read as follows:

18 2. For a violation of an ordinance, a city shall not
19 provide a penalty in excess of the maximum fine and term of
20 imprisonment for a simple misdemeanor under section 903.1,
21 subsection 1, paragraph "a". Except as otherwise provided
22 in this section, an amount equal to ten percent of all
23 finest collected by cities shall be deposited in the account
24 established in section 602.8108. However, one

25 a. One hundred percent of all fines collected by a city
26 pursuant to section 321.236, subsection 1, shall be retained
27 by the city.

28 b. (1) Civil fines collected by a city from the use of an
29 automated traffic law enforcement system shall be allocated as
30 follows:

31 (a) Not more than five percent of the amount collected shall
32 be paid to the vendor with whom the city has a contract for the
33 use of the automated traffic law enforcement system.

34 (b) The amount in excess of the amount paid under
35 subparagraph division (a) shall be retained by the city.

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

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

9

EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill directs that, from the civil fines collected
13 by a city or county from the use of automated traffic law
14 enforcement systems, not more than 5 percent shall be paid to
15 the vendor of the automated traffic law enforcement system.
16 The remaining amount is to be retained by the city or county.

17 The bill defines "automated traffic law enforcement system"
18 as a device working in conjunction with a traffic control
19 signal or device or a speed-measuring device to produce
20 recorded images of vehicles being operated in violation of
21 traffic or speed laws.