

Senate File 2148 - Introduced

SENATE FILE 2148
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3025)

(COMPANION TO HF 2118 BY
COMMITTEE ON LOCAL GOVERNMENT)

A BILL FOR

1 An Act prohibiting the use of automated or remote systems for
2 traffic law enforcement, requiring the removal of existing
3 systems, and including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 321.492C Use of automated or remote
2 systems for traffic law enforcement prohibited.

3 The state or a political subdivision of the state shall not
4 place or cause to be placed on or adjacent to a highway, or
5 maintain or employ the use of, any automated or remote system
6 for traffic law enforcement. For the purposes of this section,
7 *"automated or remote system for traffic law enforcement"* means a
8 camera or other optical device designed to work in conjunction
9 with an official traffic control signal or speed measuring
10 device to identify motor vehicles operating in violation of
11 traffic laws, the use of which results in the issuance of
12 citations sent through the mail or by electronic means.

13 Sec. 2. REMOVAL OF AUTOMATED OR REMOTE SYSTEMS FOR
14 TRAFFIC LAW ENFORCEMENT — VALIDITY OF PRIOR NOTICES AND
15 CITATIONS. Prior to July 1, 2018, a local authority using an
16 automated or remote system for traffic law enforcement shall
17 discontinue using the system and remove the system equipment.
18 Effective July 1, 2018, all local ordinances authorizing the
19 use of automated or remote systems for traffic law enforcement
20 are void. However, any citation issued or mailed pursuant
21 to such an ordinance prior to July 1, 2018, shall not be
22 invalidated by the enactment of this Act and shall be processed
23 according to the provisions of law under which the citation was
24 authorized.

25 Sec. 3. EFFECTIVE DATE. The section of this Act relating
26 to the removal of automated or remote systems for traffic law
27 enforcement and the validity of prior citations, being deemed
28 of immediate importance, takes effect upon enactment.

29 EXPLANATION

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

32 This bill prohibits the state or a political subdivision of
33 the state from placing or causing to be placed on or adjacent
34 to a highway, or maintaining or employing the use of, any
35 automated or remote system for traffic law enforcement. The

1 bill defines "automated or remote system for traffic law
2 enforcement" to mean a camera or other optical device designed
3 to work in conjunction with an official traffic control signal
4 or speed measuring device to identify motor vehicles operating
5 in violation of traffic laws, the use of which results in the
6 issuance of citations sent through the mail or by electronic
7 means.

8 The bill requires that prior to July 1, 2018, a local
9 authority using an automated or remote system for traffic law
10 enforcement must discontinue using the system and remove the
11 system equipment. Effective July 1, 2018, all local ordinances
12 authorizing the use of automated or remote systems for traffic
13 law enforcement are void. However, the bill provides that any
14 citation issued or mailed pursuant to such an ordinance prior
15 to July 1, 2018, is not invalidated by the bill and must be
16 processed according to the provisions of law under which the
17 citation was authorized. This provision of the bill takes
18 effect upon enactment.