

House File 249 - Introduced

HOUSE FILE 249

BY WHEELER

A BILL FOR

1 An Act prohibiting the use of automated or remote systems
2 for traffic law enforcement, including prohibiting the
3 sharing of related information, requiring the removal of
4 existing systems, and invalidating associated citations, and
5 including effective date provisions.
6 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 — sharing related
3 information prohibited.

4 1. The state or a political subdivision of the state shall
5 not place or cause to be placed on or adjacent to a highway, or
6 maintain or employ the use of, any automated or remote system
7 for traffic law enforcement.

8 2. The department of transportation and the department of
9 public safety shall not share or provide information used to
10 impose or collect a civil penalty that results from a violation
11 captured by an automated or remote system for traffic law
12 enforcement through any existing interstate compact that does
13 not specifically allow or require information to be shared or
14 provided for that explicit purpose.

15 3. For purposes of this section, *“automated or remote system*
16 *for traffic law enforcement”* means a camera or other optical
17 device designed to work in conjunction with an official traffic
18 control signal or speed measuring device to identify motor
19 vehicles operating in violation of traffic laws, the use of
20 which results in the issuance of citations sent through the
21 mail or by electronic means.

22 Sec. 2. REMOVAL OF AUTOMATED OR REMOTE SYSTEMS FOR TRAFFIC
23 LAW ENFORCEMENT — PRIOR NOTICES AND CITATIONS INVALID. Prior
24 to July 1, 2021, a local authority using an automated or
25 remote system for traffic law enforcement shall discontinue
26 using the system and remove the system equipment. On and
27 after the effective date of this Act, all local ordinances
28 authorizing the use of automated or remote systems for traffic
29 law enforcement are void. On and after the effective date of
30 this Act, all citations issued or mailed pursuant to such an
31 ordinance are invalidated by the enactment of this Act.

32 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
33 importance, takes effect upon enactment.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill prohibits the state or a political subdivision of
3 the state from placing or causing to be placed on or adjacent
4 to a highway, or maintaining or employing the use of, any
5 automated or remote system for traffic law enforcement (ATE
6 system).

7 The bill prohibits the department of transportation and the
8 department of public safety from providing information used to
9 impose or collect a civil penalty that results from a violation
10 captured by an ATE system through an existing interstate
11 compact agreement unless the agreement specifically allows or
12 requires that information to be shared or provided for that
13 specific purpose.

14 The bill defines "automated or remote system for traffic law
15 enforcement" to mean a camera or other optical device designed
16 to work in conjunction with an official traffic control signal
17 or speed measuring device to identify motor vehicles operating
18 in violation of traffic laws, the use of which results in the
19 issuance of citations sent through the mail or by electronic
20 means.

21 The bill requires that prior to July 1, 2021, a local
22 authority using an ATE system must discontinue using the system
23 and remove the system equipment. On and after the effective
24 date of the bill, all local ordinances authorizing the use
25 of ATE systems are void and all citations issued or mailed
26 pursuant to such an ordinance are invalidated.

27 The bill takes effect upon enactment.