

Senate File 516 - Introduced

SENATE FILE 516
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1176)

A BILL FOR

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

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

8 b. Paragraph "a" does not apply to a segment of an
9 interstate road along or reasonably preceding or succeeding
10 an elevated portion of the road with two adjacent, or nearly
11 so, circular curves with deflections in opposite directions
12 located in a city having a population of between one hundred
13 twenty thousand and one hundred thirty thousand based on the
14 2010 federal decennial census.

15 2. The department of transportation and the department of
16 public safety shall not share or provide information used to
17 impose or collect a civil penalty that results from a violation
18 captured by an automated or remote system for traffic law
19 enforcement through any existing interstate compact that does
20 not specifically allow or require information to be shared or
21 provided for that explicit purpose.

22 3. For purposes of this section, "*automated or remote system*
23 *for traffic law enforcement*" means a camera or other optical
24 device designed to work in conjunction with an official traffic
25 control signal or speed measuring device to identify motor
26 vehicles operating in violation of traffic laws, the use of
27 which results in the issuance of citations sent through the
28 mail or by electronic means.

29 Sec. 2. REMOVAL OF AUTOMATED OR REMOTE SYSTEMS FOR TRAFFIC
30 LAW ENFORCEMENT — VALIDITY OF PRIOR NOTICES AND CITATIONS.

31 1. Prior to July 1, 2021, a local authority using an
32 automated or remote system for traffic law enforcement shall
33 discontinue using the system and remove the system equipment.
34 Effective July 1, 2021, all local ordinances authorizing the
35 use of automated or remote systems for traffic law enforcement

1 are void. However, any citation issued or mailed pursuant
2 to such an ordinance prior to July 1, 2021, shall not be
3 invalidated by the enactment of this Act and shall be processed
4 according to the provisions of law under which the citation was
5 authorized.

6 2. Subsection 1 does not apply to automated or remote
7 systems for traffic law enforcement located as described in
8 section 321.492C, subsection 1, paragraph "b", as enacted in
9 this Act, or to any associated ordinance or citation.

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

14 EXPLANATION

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

17 This bill prohibits the state or a political subdivision of
18 the state from placing or causing to be placed on or adjacent
19 to a highway, or maintaining or employing the use of, any
20 automated or remote system for traffic law enforcement (ATE
21 system). This prohibition does not apply to a segment of an
22 interstate road along or reasonably preceding or succeeding an
23 elevated portion of the road with two adjacent circular curves
24 with deflections in opposite directions located in a city
25 having a population of between 120,000 and 130,000 based on the
26 2010 federal decennial census.

27 The bill prohibits the department of transportation and the
28 department of public safety from providing information used to
29 impose or collect a civil penalty that results from a violation
30 captured by an ATE system through an existing interstate
31 compact agreement unless the agreement specifically allows or
32 requires that information to be shared or provided for that
33 specific purpose. The bill does not provide an exception to
34 this provision.

35 The bill defines "automated or remote system for traffic law

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

7 The bill requires that prior to July 1, 2021, a local
8 authority using an ATE system must discontinue using the system
9 and remove the system equipment. Effective July 1, 2021, all
10 local ordinances authorizing the use of ATE systems are void.
11 However, the bill provides that any citation issued or mailed
12 pursuant to such an ordinance prior to July 1, 2021, is not
13 invalidated by the bill and must be processed according to the
14 provisions of law under which the citation was authorized.
15 This provision of the bill does not apply to ATE systems
16 exempted from the prohibition, or to any associated ordinance
17 or citation. This provision of the bill takes effect upon
18 enactment.