

**Senate File 2284 - Introduced**

SENATE FILE 2284  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 2034)

**A BILL FOR**

1 An Act relating to the use of automated systems that detect  
2 traffic violations or registration plate information, and  
3 making penalties applicable.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 321P.4, Code 2026, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 2A. A person shall not share with a  
4 nongovernmental third party historical location information  
5 that is collected by an automatic registration plate reader  
6 and compiled in an effort to anticipate, prevent, or monitor  
7 potential criminal activity if the information identifies or  
8 could be used to identify another person or another person's  
9 vehicle.

10 Sec. 2. Section 321P.4, subsection 4, Code 2026, is amended  
11 to read as follows:

12 4. A person who violates subsection 1 or 2A commits a simple  
13 misdemeanor.

14 Sec. 3. NEW SECTION. **321P.4A Automated vehicle noise**  
15 **enforcement systems.**

16 1. A local authority shall not issue a citation for a  
17 violation detected by an automated vehicle noise enforcement  
18 system based on noise emitted from the use of a vehicle's brake  
19 or exhaust system while the vehicle is reducing speed.

20 2. A citation issued in violation of subsection 1 is void and  
21 unenforceable.

22 3. For purposes of this section, "*automated vehicle noise*  
23 *enforcement system*" means a camera or other optical device  
24 designed to work in conjunction with a noise measuring device  
25 to detect and automatically capture or store an image or any  
26 accompanying data of a vehicle emitting noise that exceeds a  
27 specified noise level restriction.

28 Sec. 4. Section 321P.7, subsection 2, paragraph a, Code 2026,  
29 is amended to read as follows:

30 a. Notwithstanding subsection 1, a local authority shall  
31 provide the owner of a motor vehicle who receives a citation for  
32 a violation detected by a system with an opportunity to submit  
33 evidence that the owner was not operating the motor vehicle at  
34 the time of the violation. As part of the proceeding, the owner  
35 ~~shall~~ may provide the name and address of the person who was

1 operating the motor vehicle at the time of the violation. A  
2 citation issued to an owner who submits evidence sufficient to  
3 prove that the owner was not operating the motor vehicle at the  
4 time of the violation shall be dismissed and the owner shall not  
5 be required to pay a fee if the citation is not amended pursuant  
6 to paragraph "b".

7 Sec. 5. NEW SECTION. **321P.7A Liability for violations other**  
8 **than speed violations.**

9 1. A local authority that issues a citation for a violation  
10 other than for excessive speed that was detected using a camera  
11 or other optical device designed to work in conjunction with  
12 another device to detect a violation of section 321.256, 321.257,  
13 321.436, or any other traffic law, and to automatically capture  
14 or store an image or any accompanying data of a motor vehicle  
15 violating the traffic law, shall provide the owner of the motor  
16 vehicle who received a citation with an opportunity to submit  
17 evidence that the owner was not operating the motor vehicle at  
18 the time of the violation.

19 2. As part of the proceeding, the owner may provide the name  
20 and address of the person who was operating the motor vehicle at  
21 the time of the violation. Notwithstanding section 321.133, a  
22 citation issued to an owner who submits evidence sufficient to  
23 prove that the owner was not operating the motor vehicle at the  
24 time of the violation shall be dismissed and the owner shall not  
25 be required to pay a fee if the citation is not amended pursuant  
26 to subsection 3.

27 3. A citation issued to the owner of a motor vehicle may be  
28 amended and issued to the person identified under subsection 2  
29 who was operating the motor vehicle.

30 EXPLANATION

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

33 This bill prohibits a person from sharing historical location  
34 information collected by an automatic registration plate reader  
35 with a nongovernmental third party if the information could be

1 used to identify another person or another person's vehicle.  
2 A person who shares such information in violation of the bill  
3 commits a simple misdemeanor. A simple misdemeanor is punishable  
4 by confinement for no more than 30 days and a fine of at least  
5 \$105 but not more than \$855.

6 The bill prohibits local authorities from issuing a citation  
7 for a violation detected by an automated vehicle noise  
8 enforcement system, as defined in the bill, based on noise  
9 emitted from the use of a vehicle's brake or exhaust system while  
10 the vehicle is reducing speed. A citation for a noise violation  
11 issued in violation of the bill is void and unenforceable.

12 Under current law, a citation for a violation detected by an  
13 automated or remote system for traffic law enforcement must be  
14 issued to the owner of the identified motor vehicle. However,  
15 a local authority is required to provide the owner of a motor  
16 vehicle who receives a citation for a violation detected by a  
17 system with an opportunity to submit evidence that the owner was  
18 not operating the motor vehicle at the time of the violation.  
19 As part of the proceeding, the owner must provide the name and  
20 address of the person who was operating the motor vehicle at the  
21 time of the violation. The bill strikes the requirement for the  
22 vehicle owner to provide the name and address of the person who  
23 was operating the motor vehicle at the time of the violation.

24 The bill requires a local authority that uses an automated  
25 system to capture images of traffic violations other than  
26 excessive speed to provide an opportunity for the vehicle owner  
27 to submit evidence that the owner was not operating the vehicle  
28 at the time of the violation.

29 The bill requires a citation issued using any kind of  
30 automated system that captures images of traffic law violations  
31 to be dismissed without a fee imposed on the owner if the owner  
32 submits sufficient proof that the owner was not operating the  
33 motor vehicle at the time of the violation, and the citation is  
34 not amended and issued to another identified person.