



[SF 2408](#) – Traffic Cameras (LSB2506SZ)
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Fiscal Note Version – New

Description

[Senate File 2408](#) regulates the use of automated or remote systems for traffic law enforcement (ATE system).

Division I — Automated or Remote Systems for Traffic Law Enforcement — Automatic Registration Plate Readers

“Automated or remote system for traffic law enforcement” is defined in the Bill as a camera or other optical device designed to work in conjunction with an official traffic control signal or speed measuring device to identify motor vehicles operating in violation of traffic laws, the use of which results in the issuance of citations sent through the mail or by electronic means.

The Bill requires local authorities to hold a valid permit from the Iowa Department of Transportation (DOT) before using an ATE system. The DOT is authorized to determine whether a system is appropriate and necessary and the least restrictive means to address the traffic safety issues at a location. The Bill details a list of requirements that must be included in an application for a permit.

Local authorities are only authorized to use an ATE system for the following violations:

- Failure to yield or stop at an intersection controlled by a traffic-controlled signal.
- Failure to yield or stop at a railroad crossing.
- Exceeding the speed limit by more than 10 miles per hour.

A local authority with a population of 20,000 or less is only authorized to issue warnings for violations detected by a mobile ATE system.

Data collected by automatic registration plate readers must be deleted within 30 days with exceptions for certain circumstances. A person who violates these automatic registration plate reader requirements commits a simple misdemeanor.

Division I provides for signage and reporting requirements for ATE systems. The Bill also provides requirements for the installation and maintenance of an ATE system, including the requirement for a monthly calibration of a system.

Local authorities are required to review and approve a recorded photograph or video of a violation captured by an ATE system before a citation is issued. With the exception of excessive speed violations, scheduled fines must not exceed the amounts under Iowa Code section [805.8A](#). For excessive speed violations detected by an ATE system, the citation amount must not exceed \$75 for speeds between 10 miles and 20 miles per hour over the speed limit, \$100 for speeds between 20 and 25 miles per hour over the speed limit, \$250 for speeds between 25 and 30 miles per hour over the speed limit, and \$500 for speeds greater

than 30 miles per hour over the speed limit. These amounts are doubled if the violation occurs in a road work zone. All violations detected by an ATE system are civil infractions.

Division I requires the local authority to remit 10.0% of moneys collected, minus the installation and maintenance costs of the ATE system itself, to the Length of Service Award Program Fund created under **Division III** of the Bill, and 5.0% of funds collected to the General Fund to be appropriated to the Iowa Law Enforcement Academy to provide training, certification, and recertification of officers. Any remaining funds retained by a local authority can be used to fund transportation infrastructure improvement projects or to offset costs related to the operation of a police department or fire department.

Division II — Existing Systems

Division II requires that a local authority using a system prior to January 1, 2024, may submit to the DOT by July 1, 2024, a list of ATE system locations and justifications for placement and use. The DOT must issue a permit to the local authority that provides valid submissions by October 1, 2024. A local authority using an ATE system prior to January 1, 2024, may continue to use the ATE system until a permit is received, unless it is a mobile ATE system prohibited under the Bill. If the local authority has not been issued a permit by October 1, 2024, the local authority must cease using all ATE systems until the local authority obtains a permit. A local authority using an ATE system at a location for the first time on or after January 1, 2024, shall not be issued a permit before July 1, 2026. **Division II** of the Bill takes effect upon enactment.

Division III — Length of Service Award Programs

Division III authorizes municipalities to establish a Length of Service Award Program for volunteer fire fighters, volunteer emergency medical care providers, and reserve peace officers that provides tax-deferred length of service awards. The Bill establishes a Length of Service Award Program Grant Fund under the control of the Department of Revenue (IDR). Moneys in the Fund are appropriated to the IDR for grants to municipalities that have established a Length of Service Award Program to provide contributions to the Program on behalf of participants. Grants must be provided up to a dollar-for-dollar funding match from a municipality.

Background

As of January 2024, the Legislative Services Agency (LSA) is aware of 25 cities and towns in Iowa that operate an ATE system or systems, including Sioux City, Cedar Rapids, Davenport, Muscatine, Fort Dodge, Council Bluffs, Des Moines, Waterloo, Fayette, West Union, LeClaire, Strawberry Point, Hazleton, Hudson, Chester, Buffalo, Bellevue, Miles, Independence, Oelwein, Prairie City, Webster City, Marshalltown, Marion, and Postville. Data is not available at this time regarding the use of ATE systems in additional cities or towns. As of January 15, 2024, the LSA obtained data from Cedar Rapids, Council Bluffs, Davenport, Des Moines, LeClaire, Muscatine, Waterloo, Buffalo, Fayette, and Marshalltown regarding their current ATE systems. Sioux City recently changed its ATE system provider and does not have accurate data for a full year.

Of the 25 cities and towns that currently operate an ATE system, 15 have populations of less than 20,000; however, the number that operate mobile ATEs is unknown.

Figure 1 provides data obtained by the LSA related to the number of ATE devices, base cost per violation, vendors' share of revenues, and local authorities' share of revenues for the last full fiscal year. **Figure 2** shows each city's use of ATE system revenue.

Figure 1 — Data Provided for Fiscal Year 2023

Local Authority	Number of Mobile ATEs	Total Number of Operating ATEs	Number of Violations Issued	Number of Violations Collected	Base Fine Per Violation	Vendor Revenue	Local Authority Revenue
Buffalo	1	3	10,006	9,359	\$ 75	\$ 145,125	\$ 362,813
Cedar Rapids	2	19	169,696	94,037	75	1,834,563	7,207,857
Council Bluffs	0	15	20,299	12,557	100	489,416	849,453
Davenport	4	18	43,452	20,314	65	440,601	1,420,540
Des Moines	3	13	125,768	84,991	65	1,929,663	3,594,696
Fayette	0	2	5,315	4,074	100	138,878	324,049
LeClaire	1	5	62,229	50,533	50	1,664,130	1,703,438
Marshalltown	0	3	5,966	2,952	100	100,000	195,050
Muscatine	1	9	11,577	8,516	75	215,514	510,840
Waterloo	2	25	53,054	26,117	36	942,296	1,166,746

*Lowest violation amount. Actual violation may increase depending on miles per hour over the legal speed limit.
Source: Local Authorities

Figure 2 — Local Uses for ATE System Revenue

Local Authority	Uses
Buffalo	Public safety expenses
Cedar Rapids	General fund
Council Bluffs	General fund
Davenport	General fund
Des Moines	Des Moines Public Safety Radio System and Iowa Statewide Interoperable Communications System
Fayette	General fund
LeClaire	General fund
Marshalltown	General fund
Muscatine	Police department for personnel costs
Waterloo	General fund: Police department for equipment

Source: As reported by local authorities

A simple misdemeanor is punishable by confinement for no more than 30 days and a fine of at least \$105 but not more than \$855.

Assumptions

- Local jurisdictions may be required to reduce the amount charged for a single citation for speeding violations as provided in the Bill.
- For cities with a population below 20,000, the local authority revenue collected annually by mobile ATEs is in proportion to the number of mobile ATEs the local authority has as a percentage of that total number of operating ATEs. Revenue to the cities of Buffalo and LeClaire will be reduced by 33.0% and 20.0%, respectively, due to the removal of mobile ATE systems.
- Installation and maintenance costs of an ATE system are assumed to include vendor costs. Therefore, 15.0% of moneys collected is applied only to the local authority revenue.
- For the purposes of this **Fiscal Note**, it is assumed that all cameras currently in operation and on which the LSA has collected data will be authorized to continue in operation, with the exception of mobile ATEs in cities with a population below 20,000.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

Correctional Impact

Senate File 2408 creates a new simple misdemeanor, and the correctional impact cannot be estimated for the Bill due to a lack of existing conviction data. A conviction for a simple misdemeanor does not result in a prison sentence but does carry the possibility of confinement

in jail for up to 30 days. Refer to the LSA memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

Minority Impact

Senate File 2408 creates a new offense. As a result, the Criminal and Juvenile Justice Planning (CJJP) of the Department of Management cannot use existing data to estimate the minority impact of the Bill. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

Fiscal Impact

Senate File 2408 is estimated to decrease revenue to local authorities. The full fiscal impact of the Bill across all localities cannot be estimated. However, **Figure 3** includes estimates for the 10 cities that provided data to the LSA.

Figure 3 — Estimated Annual Local Government Revenue Reduction Under SF 2408 Compared to FY 2023

Local Authority	Estimated Loss Of Revenue
Buffalo	\$ -157,000
Cedar Rapids	-1,081,000
Council Bluffs	-127,000
Davenport	-213,000
Des Moines	-539,000
Fayette	-49,000
LeClaire	-545,000
Marshalltown	-29,000
Muscatine	-77,000
Waterloo	-175,000
Note: This figure only reflects 10 of 25 political subdivisions that have reported to the LSA.	
Numbers may not be exact due to rounding.	

Senate File 2408 is also estimated to increase revenue to the Length of Service Award Program Grant Fund and General Fund beginning in FY 2025. For the 10 cities that provided data to the LSA, the Length of Service Award Program Grant Fund is estimated to have an annual increase of approximately \$1.7 million and the General Fund is estimated to have an annual increase of approximately \$843,000, which is to be appropriated to the ILEA to be used for training, certification, and recertification of officers. However, the full fiscal impact to the Length of Service Award Program Grant Fund and General Fund from all localities cannot be estimated at this time.

The fiscal impact of a new criminal offense cannot be estimated due to a lack of existing data. The average State cost per offense for one simple misdemeanor conviction ranges from \$40 to \$400.

Sources

Department of Transportation

Local authorities

Legislative Services Agency calculations

/s/ Jennifer Acton

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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