

1385

Sponsor(s): Representatives O'Brien, K. Schmidt, Fisher, Sheahan, Cooper, Lovick, Scott and Delvin

Brief Description: Regulating automated traffic enforcement systems.

**HB 1385 - DIGEST**

(SEE ALSO PROPOSED 2ND SUB)

Declares that the use of automated traffic enforcement systems is subject to the following restrictions: (1) Automated traffic enforcement systems may not be used unless the appropriate local legislative authority first enacts an ordinance allowing for their use;

(2) automated traffic enforcement systems may take pictures of the vehicle and vehicle license plate only, and no person may appear in the photographs. If a person in the vehicle does appear in the photograph, the infraction must be dismissed and the photograph and any negatives must be destroyed;

(3) automated traffic enforcement systems that enforce speed violations may not be used on federal highways or state highways outside the incorporated limits of a city or town;

(4) the law enforcement agency shall plainly mark the locations where the automated traffic enforcement system is used by placing signs on street locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic enforcement system;

(5) when using automated traffic enforcement systems to enforce speed violations, a commissioned law enforcement officer in a clearly marked law enforcement vehicle must operate the automated device;

(6) agencies must mail notices of infractions to the registered owner of the vehicle within fourteen days of the infraction occurring; and

(7) a person receiving a notice of an infraction based on evidence detected by an automated traffic enforcement system may respond to the notice by mail.