
Transportation Committee

HB 1118

Brief Description: Regulating traffic safety cameras.

Sponsors: Representatives Lovick, Delvin, O'Brien, Armstrong, Ogden, Edmonds, Cooper, Fisher, Boldt, Mitchell, Simpson and Fromhold.

Brief Summary of Proposed 2nd Substitute Bill

- Local law enforcement may use traffic safety cameras to detect speeding, stoplight or railroad crossing violations.
- Cameras may take pictures of the vehicle and vehicle license plate only, and only while an infraction is occurring.
- Registered owners of the vehicles are responsible for the infraction unless they submit an affidavit or testify in court that the vehicle was stolen, sold, or that another person was driving at the time of the infraction.
- The infraction does not go against the registered owner's driving record.
- Exceptions are provided for rental car businesses.
- The Traffic Safety Commission may develop rules for use of the cameras and must report on their use to the House and Senate Transportation Committees.

Hearing Date: 1/28/02

Staff: Penny Nerup (786-7335).

Background:

Currently, law enforcement is not specifically authorized to use automated traffic enforcement systems, like traffic safety cameras, at railroad crossings, at red lights, or to detect speeding. Law enforcement is not legally prevented from using these systems; however, most law enforcement is concerned about using these devices without guidance from the Legislature.

Currently, the Traffic Safety Commission is monitoring five pilot projects that use traffic

safety cameras in Lakewood, Seattle, Spokane and Vancouver, Washington. A fifth project is a joint construction zone project with the city of Vancouver and the Department of Transportation. These pilot projects were authorized in the 2001-2003 biennial budget.

Summary of Bill:

Local governments are authorized to use traffic safety cameras subject to the following conditions: 1) an ordinance must first be enacted by the jurisdiction; 2) cameras may only be used to detect speeding, stoplight or railroad crossing violations; 3) pictures may only be taken of the vehicle and vehicle license plate, and only while an infraction is occurring; and 4) zones where the cameras are used must be plainly marked with signs.

Notice of traffic infractions captured by the camera must be mailed to the registered owner of the vehicle within 14 days of the date of the infraction. The registered owner is responsible for the infraction, but the infraction does not become part of the registered owner's driving record. If the registered owner submits an affidavit stating that the vehicle was stolen, sold or in the custody of another person, or provides testimony to that effect in court, he or she will not be responsible for the infraction.

If the notice of traffic infraction is sent to a rental car business, the infraction will be dismissed if the rental car business, within 14 days of receiving the notice, provides the name and mailing address of the person renting the vehicle when the infraction occurred, or if the business submits an affidavit stating it is unable to determine the name of the driver or renter.

The Traffic Safety Commission may adopt rules about standards for the traffic safety camera equipment, placement of signs that indicate a zone where the cameras are used, and may make recommendations on educating the public about the use of traffic safety cameras. The Commission must also report on the use, outcomes and other relevant issues to the House and Senate Transportation Committees by January 1, 2002, and for four years thereafter.

Appropriation: None.

Fiscal Note: Requested on January 23, 2002.

Effective Date: Ninety days after adjournment of session in which bill is passed.