

SENATE BILL REPORT

SB 5610

As Reported By Senate Committee On:
Transportation, March 7, 2001

Title: An act relating to traffic safety cameras.

Brief Description: Regulating traffic safety cameras.

Sponsors: Senators Haugen, Carlson, Gardner and Winsley.

Brief History:

Committee Activity: Transportation: 2/21/01, 3/7/01 [DPS, DNP].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5610 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Eide, Jacobsen, McAuliffe, Oke, Prentice, Shin and Swecker.

Minority Report: Do not pass.

Signed by Senators Benton and Kastama.

Staff: Jennifer Ziegler (786-7316)

Background: No express statutory authority exists allowing local governments to use automated traffic enforcement systems, such as photo-radar, photo devices at stop lights, and photo devices at railroad crossings. However, some local governments are currently using these systems. The city of Lakewood currently operates a pilot project using photo devices at stop lights.

Summary of Substitute Bill: Express statutory authority is granted to local governments and the Department of Transportation (WSDOT) to authorize the use of automated traffic enforcement systems. However, certain conditions apply when such systems are used. Pictures may only be taken of vehicles and vehicle plates, and no identifiable person may appear in the photos. Law enforcement agencies must plainly mark the locations where traffic safety cameras are used.

When an automated traffic enforcement system is used, the notice of infraction must be sent by mail, within 14 days of the infraction occurring, to the registered owner of the vehicle. The registered owner is responsible for the infraction. The traffic infraction does not become part of the registered owner's driving record.

A registered owner of a vehicle is not responsible for the traffic infraction from the use of an automated traffic enforcement system, if the registered owner provides the municipality with an affidavit, stating that the vehicle was not in the care, control or custody of the

registered owner at the time the infraction occurred. The registered owner is also not responsible for the infraction if the registered owner testifies in open court that he or she was not operating the vehicle.

If the registered owner is a rental car business, the infraction is dismissed if the business mails the name and mailing address of the person renting the vehicle to the issuing law enforcement agency within 14 days.

Substitute Bill Compared to Original Bill: WSDOT has authority to use traffic safety cameras. The Washington Traffic Safety Commission may create standards for public notice for those areas in which traffic safety cameras are in use.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Neighborhood associations have supported the use of traffic safety cameras. The most common complaint from citizens is traffic safety, particularly speeding or red light violations. Traffic safety cameras have a significant deterrent effect and have been shown to decrease accidents and injuries. Generally, traffic safety cameras decrease traffic violations and collisions by about 40 percent. There are also significant cost savings for local communities with the use of traffic safety cameras. This technology also enables law enforcement officers to focus on higher priority issues. WSDOT is particularly interested in using cameras in construction zones.

Testimony Against: None.

Testified: PRO: Janet Thiessen, Jim Parson, Clark County; Steve Lind, WTSC; Mel Sorensen, National Assn. of Independent Insurers; Becky Bernard, Rick Jensen, Lockheed Martin, IMS; Toby Rickman, WSDOT.