
Transportation Committee

HB 1098

Brief Description: Concerning automated traffic safety cameras.

Sponsors: Representatives Hurst and Hasegawa.

Brief Summary of Bill

- Requires a legislative authority that adopts an ordinance allowing for the use of automated traffic safety cameras to submit the ordinance to the voters within its jurisdiction at a general election.
- Requires an ordinance that allows for the use of automated traffic safety cameras to indicate the maximum number of cameras that may be used within the jurisdiction, and requires a subsequent ordinance to increase the number of traffic cameras to be approved by the voters at a general election.
- Requires the minimum duration for the yellow change interval to be a duration that is set in accordance with the Manual for Uniform Traffic Control Devices plus one second when an automated traffic safety camera is used at a two-arterial intersection.
- Changes infractions detected through the use of automated traffic safety cameras to traffic infractions, and prohibits the infractions from being made available to the registered owner's insurance company or employer.
- Requires compensation paid to a traffic camera manufacturer or vendor to be a fixed rate based only on the value of the equipment and service provided.

Hearing Date: 2/1/11

Staff: Wendy Malkin (786-7114).

Background:

Local governments are authorized to use automated traffic safety cameras subject to the following conditions:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- an ordinance must first be enacted by the local legislative authority allowing their use to detect only stoplight, railroad crossing, or school speed zone violations, and setting forth public notice and signage provisions;
- use of the automated traffic safety cameras is restricted to two-arterial intersections, railroad crossings, and school speed zones only, except in the case of on-going pilot projects involving the use of automated traffic safety cameras to detect speed violations and work zone safety violations;
- pictures may be taken of only vehicles and vehicle license plates while an infraction is occurring and must not reveal driver or passenger faces;
- all locations where a camera is used must be clearly marked by signs indicating the presence of a camera zone;
- infraction notices must be mailed to the registered owner of the vehicle within 14 days of the infraction and may be responded to by mail;
- the compensation paid to the manufacturer or vendor of the equipment must be based only on the value of the equipment and services provided and not on a portion of the fines or revenue; and
- infractions detected through the use of cameras are not part of the registered owner's driving record.

Infractions detected through the use of cameras must be processed in the same manner as parking infractions, and the fine associated with an infraction may not exceed the amount of a fine issued for other parking infractions within the jurisdiction. Revenue from parking infractions goes to the local jurisdiction, unlike revenue from traffic infractions. Revenue from traffic infractions is divided between several different accounts and entities. Local jurisdictions receive approximately 35 percent of the infraction amount, depending on the infraction amount.

The registered owner of a vehicle is responsible for an infraction detected by an automated traffic safety camera unless the owner states under oath that the vehicle involved was, at the time, stolen or in the care, custody, or control of another person.

The Washington State Department of Transportation periodically adopts the Manual on Uniform Traffic Control Devices (MUTCD), published by the Federal Highway Safety Administration. The MUTCD provides guidance on a variety of traffic control topics. The MUTCD provides the following guidance on the duration of yellow change intervals and red clearance intervals:

- The duration of a yellow change interval shall be predetermined.
Guidance: A yellow change interval should have a duration of approximately three to six seconds. The longer intervals should be reserved for use on approaches with higher speeds.
Option: The yellow change interval may be followed by a red clearance interval to provide additional time before conflicting traffic movements, including pedestrians, are released.
- The duration of a red clearance interval shall be predetermined.
Guidance: A red clearance interval should have a duration not exceeding six seconds.

Summary of Bill:

A local legislative authority that adopts an ordinance allowing for the use of automated traffic safety cameras must submit the ordinance to the voters within its jurisdiction at a general election. An ordinance that allows for the use of automated traffic safety cameras must indicate

the maximum number of cameras that may be used within the jurisdiction. A local legislative authority must pass a subsequent ordinance to increase the number of traffic cameras in its jurisdiction, and the subsequent ordinance must be approved by the voters at a general election.

When an automated traffic safety camera is used at a two-arterial intersection, the minimum duration for the yellow change interval must be a duration that is set in accordance with the MUTCD plus one second.

Infractions detected through the use of automated traffic safety cameras are traffic infractions, and the infractions may not be made available to the registered owner's insurance company or employer. A notice of infraction is not valid unless all restrictions related to the use of traffic cameras have been met.

Compensation paid to a traffic camera manufacturer or vendor must be a fixed rate based only on the value of the equipment and service provided.

Appropriation: None.

Fiscal Note: Requested on January 27, 2011.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.