

# HOUSE BILL REPORT

## HB 2426

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### As Reported by House Committee On: Transportation

**Title:** An act relating to authorizing local authorities to continue operating automated traffic safety cameras to detect speed violations outside of school speed zones after participating in a pilot program for at least three consecutive years.

**Brief Description:** Authorizing local authorities to continue operating automated traffic safety cameras to detect speed violations outside of school speed zones after participating in a pilot program for at least three consecutive years.

**Sponsors:** Representatives Fey, Farrell, Jinkins and Pollet.

#### **Brief History:**

##### **Committee Activity:**

Transportation: 1/27/14, 1/29/14, 1/30/14, 2/6/14, 2/10/14 [DP].

#### **Brief Summary of Bill**

- Allows local jurisdictions to operate an automated traffic safety camera to detect speed violations on an ongoing basis, under certain circumstances.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 21 members: Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Bergquist, Fitzgibbon, Freeman, Habib, Hayes, Klippert, Kochmar, Moeller, Morris, Muri, Ortiz-Self, Riccelli, Ryu, Sells, Takko, Tarleton and Walkinshaw.

**Minority Report:** Do not pass. Signed by 9 members: Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Hawkins, Pike, Rodne, Shea, Young and Zeiger.

**Staff:** Andrew Russell (786-7143).

#### **Background:**

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*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 automated traffic safety camera is defined as a "device that uses a vehicle sensor installed to work in conjunction" with equipment to detect various violations of the traffic laws. When such a violation is detected, the camera may take pictures only of the vehicle and vehicle license plate while the violation is occurring; pictures may not reveal the face of the driver or of any passenger in the vehicle. Generally, automated traffic safety cameras may be used to detect violations relating to traffic control signals, railroad crossings, and school speed zones.

Infractions generated by automated traffic safety cameras are to be processed in the same manner as parking infractions, and generally the monetary penalty accompanying such infractions may not exceed the monetary penalty for other parking infractions in the jurisdiction. Finally, infractions detected by an automated traffic safety camera are not added to an owner's driving record.

The Washington Legislature first authorized the use of automated traffic safety cameras to detect speed violations in the 2009-11 Biennial Transportation Budget. The budget bill established a pilot project, overseen by the Washington Traffic Safety Commission (WTSC), for the operation of such cameras; however, the pilot project was limited in several respects. First, only cities west of the Cascade mountains with a population greater than 200,000 could participate. Additionally, any such jurisdiction was authorized to operate only one automated traffic safety camera to detect speed violations. Finally, the WTSC was required to submit a report to the Legislature regarding the use, public acceptance, and outcomes of the pilot project.

The pilot programs authorized in the 2009-11 Biennial Transportation Budget were reauthorized in the 2011-13 and 2013-15 biennial budgets.

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**Summary of Bill:**

Local authorities are given ongoing authorization to operate an automated traffic safety camera to detect speed violations, subject to certain conditions. First, jurisdictions are limited to operating only one such camera. Additionally, the local legislative authority must first enact an ordinance authorizing the use of such a camera in the jurisdiction, and the use must also be authorized by the Legislature. Finally, if the camera is operated as part of a pilot project with the WTSC for at least three years, the local authorities may continue to operate the camera without biennial authorization and outside a pilot project overseen by the WTSC.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) These cameras can be used in places where it is difficult to have a police officer stationed to control speeding. Where cameras are located, speeding and accidents have gone down. In the first year of using a camera, it captured over 44,000 people exceeding the speed limit. Two years later, this number has decreased to around 15,000.

(Opposed) None.

**Persons Testifying:** Representative Fey, prime sponsor; Representative Clibborn; Representative Farrell; and Sean Gustafson and Jerry Lorum, Tacoma Police Department.

**Persons Signed In To Testify But Not Testifying:** None.