

---

## Transportation Committee

---

### HB 1915

**Brief Description:** Authorizing the use of automated traffic safety cameras in hospital and city park speed zones.

**Sponsors:** Representatives Riccelli, Ormsby and Macri.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Expands the use of automated traffic safety cameras to detect speed violations to include city park and hospital speed zones.</li></ul>
---



**Hearing Date:**

**Staff:** Jennifer Harris (786-7143).

**Background:**

Authorized Uses and Requirements for Automated Traffic Safety Cameras.

The use of automated traffic safety cameras is permitted at red light intersections that meet minimum yellow change interval requirements, at railroad crossings, and in school speed zones, if the following criteria are met:

1. The local legislative authority with jurisdiction where the cameras are to be located prepares an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located before enacting an ordinance authorizing their use and before adding additional cameras or relocating any existing camera.
2. An ordinance is enacted in cities and counties with automated traffic safety cameras installed on or after July 24, 2005, that includes the restrictions required by state law and provisions for public notice and signage.
3. The location where the camera has been installed is clearly marked at least 30 days prior to

---

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

activation of the camera through the placement of signs at that location that follow federal guidelines as adopted by the Washington State Department of Transportation.

4. Cities and counties using traffic safety cameras post an annual report on their websites that includes the number of traffic collisions that occurred at each location with a camera, the number of notices of traffic infractions issued for each camera, and any other relevant information.

The use of automated traffic safety cameras to detect speed violations is highly restricted (with the exception of cameras in school speed zones), and must meet the following criteria:

1. be located in a city west of the Cascade mountains with a population greater than 195,000, within a county with a population of fewer than 1.5 million;
2. be the only such camera located in a city that meets the above criteria; and
3. have been authorized by the Legislature as a pilot project for at least one full year.

Currently, only one such camera meets these requirements, and it is located in the City of Tacoma.

With the exception of the camera located in the City of Tacoma, automated traffic safety cameras may only be located:

- at intersections of two arterials with traffic control signals that meet state yellow change interval duration requirements;
- at railroad crossings; and
- in school speed zones.

Through June 30, 2023, the types of locations where automated traffic safety cameras are permitted includes intersections with more than two arterials with traffic control signals with specified yellow change intervals.

#### Automated Traffic Safety Camera Pilot Program.

A pilot program is in effect through June 30, 2023, which authorizes cities with populations greater than 500,000 people to adopt an ordinance authorizing the use of automated traffic safety cameras to detect one or more of the following violations:

- stopping at intersection or crosswalk (20-intersection maximum, see below for details);
- stopping when traffic obstructed;
- public transportation only lane; and
- stopping or traveling in a restricted lane.

Stopping at intersection or crosswalk violations may only be enforced at the 20 intersections where the city would most like to address safety concerns related to these violations.

The use of automated traffic safety cameras for the pilot program is limited to the following locations:

1. the portion of state and local roadways in downtown areas used for office, commercial,

- retail shopping, support services, and mixed residential uses;
2. the portion of state and local roadways in areas within one-half mile north of the boundary of the downtown areas specified in (1) above;
  3. the portion of non-interstate freeways that travel into and out of the surrounding area north of the downtown boundary identified in (2) above for up to 4 miles; and
  4. the portion of roadway systems connected to these non-interstate freeway segments that are arterial roadways for up to 1 mile from their intersection with the non-interstate freeways specified above.

Automated traffic safety cameras may not be used on an on-ramp to an interstate. For the purposes of the pilot program, location types where automated traffic safety cameras are permitted are expanded to include mid-block on arterial highways.

#### Restrictions on the Use of Automated Traffic Safety Cameras.

Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate while an infraction is occurring, and the pictures taken must not reveal the face of the driver or passengers in the vehicle. Photos and electronic images captured by a camera may only be used for the enforcement of traffic infractions for which their use has been authorized, and may not be retained longer than would be necessary for these enforcement purposes. Photos and electronic images are not available to the public and may not be used in a court in a pending action or proceeding unless that action or proceeding relates to a traffic infraction for which their use has been authorized.

The restriction on the use of photos and electronic images captured by a camera also applies to any other personally identifying data through June 30, 2023, which may only be used for the enforcement of traffic infractions for which their use has been authorized, and may not be retained longer than necessary for these enforcement purposes. Also through June 30, 2023, other personally identifying data is not available to the public and may not be used in a court in a pending action or proceeding unless that action or proceeding relates to a traffic infraction for which its use has been authorized.

#### Automated Traffic Safety Camera-Captured Infractions.

A notice of traffic infraction must be mailed to the registered owner of the vehicle within 14 days of the violation (or to its renter within 14 days of his or her name and address being established). The law enforcement officer issuing the notice must include a certificate or copy of a certificate stating the facts supporting the notice, which serves as prima facie evidence of the facts contained in it. The photographs or electronic images that serve as evidence of the violation must be available for inspection and admission into evidence in a proceeding on the infraction.

The infraction is not part of the registered owner's driving record and must be processed in the same manner as parking infractions. The infraction may not exceed the fine amount for other parking infractions in a jurisdiction in which it has occurred, and also may not exceed the

monetary penalty for failure to obey a traffic control device (currently \$139), as set by rule by the Washington State Supreme Court.

The registered owner of a vehicle is held responsible for the infraction unless he or she states under oath in a written statement to the court or in testimony before the court that the vehicle was stolen or was in the care, custody, or control of some other person at the time of the infraction.

**Summary of Bill:**

The use of automated traffic safety cameras to detect speed violations is expanded to include city park speed zones and hospital speed zones.

A "city park speed zone" is defined as the marked area within city park property and extending 300 feet from the border of city park property consistent with active park use where signs are posted to indicate the location is within the zone.

A "hospital speed zone" is defined as the marked area within hospital property and extending 300 feet from the border of hospital property consistent with hospital use where signs are posted to indicate the location is within the zone.

**Appropriation:** None.

**Fiscal Note:** Requested on January 19, 2022.

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