
Transportation Committee

HB 1969

Brief Description: Authorizing the limited use of automated traffic safety cameras for speed violations outside of school speed zones.

Sponsors: Representatives Fey, Pollet and Bronoske.

Brief Summary of Bill

- Authorizes cities to operate at least one automated traffic safety camera outside of school speed zones to detect speed violations, and to operate one additional automated traffic safety camera outside of school speed zones to detect speed violations for every 10,000 residents.
- Limits where these traffic cameras can be located to locations identified in a local road safety plan as a priority where other speed reduction measures have not worked, where the rates of collision are significantly higher than the city average and other measures have not worked, that have been designated as a racing zone, or that are within 300 feet of the border of a park or community center.
- Requires the completion of an equity analysis and consideration of its findings when determining where to locate a traffic camera.

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

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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 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:

Cities are authorized to operate at least one automated traffic safety camera outside of school speed zones to detect speed violations, and may operate one additional automated traffic safety camera outside of school speed zones to detect speed violations for every 10,000 residents.

Automated traffic safety cameras must be placed in locations that meet one of the following criteria:

1. The location has been identified as a priority location in a local road safety plan that a city has submitted to the Washington State Department of Transportation (WSDOT) and where other speed reduction measures are not feasible or have not been sufficiently effective at reducing travel speed.
2. The location has a significantly higher rate of collisions than the city average in a period of at least three years prior to installation and other speed reduction measures are not feasible or have not been sufficiently effective at reducing travel speeds.
3. The location is in an area within the city limits designated by local ordinance as a zone subject to specified restrictions and penalties on racing and race attendance.
4. The location is within 300 feet of the border of a park or community center property.

A city locating an automated traffic safety camera must complete an equity analysis that evaluates livability; accessibility; economics, education, and environmental health; and must consider the outcome of that analysis when identifying where to locate an automated traffic safety camera.

Automated traffic safety cameras must be placed in a manner that limits drivers from diverting to alternative roads to avoid them.

Fifty percent of revenue received from infractions captured by automated traffic safety cameras to detect speed violations outside of school speed zones must be remitted monthly to the state, excluding the costs of camera administration, installation, operations, and maintenance (the cost of processing infractions are excluded as well). These funds must be deposited in the Cooper Jones Active Transportation Account, which is restricted to funding grant projects or programs for bicycle, pedestrian, and non-motorist safety improvements administered by the Washington Traffic Safety Commission. The remaining 50 percent of revenue from these infractions must be used by a city for improvements to transportation that support equitable access and mobility for individuals with disabilities.

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.