
Transportation Committee

HB 2485

Brief Description: Establishing an automated highway speed safety camera pilot program.

Sponsors: Representatives Barkis, Fey and Schmidt.

Brief Summary of Bill

- Authorizes the Washington State Department of Transportation (WSDOT) to develop a traffic camera pilot program to test the use of two to three traffic cameras on state highways to evaluate the technology used, determine the impact on speeding behavior in areas of testing, and compile public responses to the use of traffic cameras on highways.
- Restricts the images that pilot program traffic cameras may capture to images of the vehicle and vehicle license plates, and limits the uses of photographs, images, and other personally identifying data associated with the pilot program to the use of the Washington State Patrol and the WSDOT for the purposes of this pilot program.
- Prohibits the issuance of traffic infractions captured by pilot program traffic cameras.
- Authorizes the WSDOT to inform registered vehicle owners of a vehicle's rate of speed and the traffic fine that would have been imposed for exceeding the speed limit.

Hearing Date: 1/31/24

Staff: Jennifer Harris (786-7143).

Background:

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.

Automated Traffic Safety Cameras.

The use of automated traffic safety cameras (traffic cameras) is permitted at red light intersections that meet minimum yellow change interval requirements, at railroad crossings, in school speed zones, in school walk areas, in public park speed zones, in hospital speed zones, and at select locations in cities that are identified as priority locations in a local road safety plan, subject to certain requirements.

Traffic cameras are also authorized for use on school buses for the enforcement of failure to stop for a school bus violation.

A pilot program is in effect through June 30, 2025, which authorizes cities with populations greater than 500,000 residents to adopt an ordinance authorizing the use of traffic cameras to detect one or more of the following violations in certain areas of the city:

- stopping at an intersection or crosswalk (20-intersection maximum);
- stopping when traffic is obstructed;
- public transportation-only lane; and
- stopping or traveling in a restricted lane.

Speed Safety Camera Systems.

Through June 30, 2030, a law enforcement officer has the authority to issue a traffic infraction when it is detected through the use of a speed safety camera system. A notice of infraction may only be issued if a speed safety camera (safety camera) captures a speed violation in a state highway work zone when workers are present.

The Washington State Department of Transportation (WSDOT) is responsible for the operation and administration of safety cameras in state highway work zones, which includes the procurement and administration of contracts for the implementation of safety cameras and the mailing of notices of infraction. By July 1, 2024, the WSDOT, in consultation with the Washington State Patrol (WSP), the Department of Licensing (DOL), the Office of Administrative Hearings (OAH), the Washington Traffic Safety Commission (WTSC), and civil rights organizations, is required to adopt rules for the operation and administration of safety cameras.

The WSP is responsible for all actions related to the enforcement and adjudication of speed violations, which includes notice of infraction verification and issuance, and determining the emergency vehicles that are exempt from the issuance of notices of infraction for infractions detected by safety cameras. By July 1, 2024, the WSP, in consultation with the WSDOT, the DOL, the OAH, the WTSC, and civil rights organizations, is required to adopt rules for the enforcement and adjudication of speed violations detected by safety cameras.

Locations where safety cameras are used must be clearly marked before activation of the safety camera, by placing signs in locations that indicate to a driver that they are entering a state

highway work zone where posted speed limits are monitored by a safety camera. Radar speed feedback signs must be placed along a roadway to provide information on vehicle speed in advance of safety cameras where feasible, and where they can assist drivers.

Safety cameras may only take photos or electronic images of the vehicle and vehicle license plate while a speed violation is occurring. The photo or electronic image must not reveal the face of the driver or of passengers in the vehicle. All photographs, electronic images, or other personally identifying data may only be used: (1) by the WSP and the WSDOT for infraction-related duties; and (2) in administrative appeal proceedings for infraction-related proceedings.

Summary of Bill:

The WSDOT is authorized to develop a traffic camera pilot program to test two to three traffic cameras on state highways. The goals of the pilot program are to:

- test safety camera technology;
- determine the impact on speeding behavior in areas of testing; and
- compile public responses to the use of traffic cameras on highways.

The WSDOT is required to work with the WSP and the WTSC to develop the pilot program. Development activities must include technology selection; camera placement in high speed, collision, or fatality locations; public notification and warning signs; outreach and public engagement; and development of a data collection and reporting process.

Pilot program traffic cameras may only capture pictures of the vehicle and vehicle license plates. Photographs, images, and other personally identifying data associated with the pilot program are for the exclusive use of the WSP and the WSDOT for the purposes of this pilot program. Photographs, images, and other personally identifying data are not available to the public and may not be used in court in a pending action or proceeding.

The issuance of traffic infractions captured by pilot program traffic cameras is prohibited. The WSDOT may inform registered vehicle owners of a vehicle's rate of speed exceeding the posted speed limit and the traffic fine that would have been imposed for exceeding the speed limit.

The WSDOT is required to provide a pilot program progress report to the Governor and the Transportation Committees of the Legislature by September 30, 2024. The progress report must include a summary of public input, evaluation of technologies used, and changes in speeding behavior resulting from the pilot program.

The pilot program authorization expires July 1, 2025.

Appropriation: None.

Fiscal Note: Requested on January 27, 2024.

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