

## HB 1209 -- Automated Traffic Control Signals

Sponsor: Davis

This bill allows various political entities to establish automated red-light enforcement systems to detect red-light signal violations.

Prior to activation of the system, the roadway must be clearly marked with a white stripe indicating the stop line and the perimeter of the intersection. The entity must also install warning signs within 500 feet of the white stripe indicating the stop line. Prior to installing the automated enforcement system, the entity must give notice of the intersection where the system will be located and the date on which the system will begin to monitor the intersection. The entity must give the notice at least 30 days prior to the installation of the system in a newspaper of general circulation throughout the area served by the entity.

Before a notice of violation may be issued, all images produced by a system must be reviewed and approved by a law enforcement officer employed by the entity in which the alleged violation occurred. Based on the inspection of recorded images, a signed notice of violation or a copy of the notice alleging that the violation occurred will be evidence of the facts and will be admissible in any proceeding.

The bill requires the notice of violation to contain a copy of two recorded images, a zoomed and cropped image of the vehicle's license plate, the vehicle owner's name and address, the registration number of the motor vehicle, and information regarding how the registered owner can review the video and recorded images that captured the alleged violation. Any issued notice of violation must be mailed no later than three business days after the violation was recorded by the automated system. Any recorded image of the violation cannot include an image of the driver's face.

The civil penalties and court costs imposed for a violation cannot exceed an amount that would have been imposed if the violation had been detected by a law enforcement officer present when the violation occurred. A person who commits a steady red-light violation will be guilty of an infraction with no points being assessed against his or her driver's license.

All revenue generated from fines collected from automated red-light enforcement systems will be used for driver's education programs located within the county, city, town, or municipality where the violation occurred.

A person charged with committing a red-light violation may rebut the violation by filing an affidavit with the court or by testifying in open court under oath that he or she was not the operator of the vehicle at the time of the alleged violation. The presumption may also be rebutted if a certified copy of a police report is presented showing that the vehicle had been reported stolen prior to the time of the alleged violation.

Any photographic and recorded evidence must be maintained by the appropriate agency for a period of at least three years and is not subject to disclosure under the Open Meetings Law, commonly known as the Sunshine Law.