

HCS HB 1557 -- AUTOMATED TRAFFIC ENFORCEMENT

SPONSOR: Hinson

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Crime Prevention and Public Safety by a vote of 11 to 3.

This bill specifies that any conviction for an infraction based solely upon evidence obtained from an automated traffic enforcement system must not result in any points assessed against a person's driving record and a court having jurisdiction over the violation must not forward a record of any plea or finding of guilty of any person in the court for the infraction to the Department of Revenue.

A person found to have committed a violation of a county or municipal traffic ordinance or regulation that was charged solely upon evidence obtained from an automated system will be guilty of an infraction punishable by a fine of up to \$135.

The bill requires any jurisdiction utilizing an automated traffic enforcement system at an intersection controlled by traffic signals exhibiting different colored lights or colored lighted arrows to enforce red-light violations on any road not included as part of the state highway system must, prior to installation or use:

- (1) Adopt an ordinance which authorizes the jurisdiction's utilization of the system;
- (2) Undergo an engineering review that includes a site evaluation and a crash study;
- (3) Determine a signal timing for yellow change and red change clearance intervals in accordance with the Manual on Uniform Traffic Control Devices;
- (4) Employ the services of a peace officer standards and training (POST) certified law enforcement officer to review and determine whether a red-light violation occurred;
- (5) Display signs in advance of each intersection containing the words, "SIGNAL IS PHOTO ENFORCED"; and
- (6) Conduct a public awareness campaign at least 30 days prior to issuing citations.

Any jurisdiction utilizing an automated traffic enforcement system to enforce speed limits on a road not included as part of the state highway system must:

- (1) Adopt an ordinance which authorizes the jurisdiction's utilization of the system;
- (2) Restrict the use to only school zones, work zones, and safety zones;
- (3) Employ the services of a POST certified law enforcement officer to review and determine whether a red-light violation occurred;
- (4) Display signs located in advance that contain the words, "SPEED LIMIT XX; PHOTO ENFORCED";
- (5) Identify the end of the automated speed limit enforcement zone with a sign that contains the words, "END PHOTO ENFORCEMENT"; and
- (6) Conduct a public awareness campaign at least 30 days prior to issuing citations.

When a jurisdiction uses an automated speed enforcement system in a school zone, the following conditions must be met:

- (1) Flashers must be installed where the school speed limit sign is posted;
- (2) The flashers must only be activated at times when the school speed limit applies;
- (3) The speed limit must only be active when children are likely to be present; and
- (4) The system must not be allowed in school zones without a reduced speed limit or flashers.

When a jurisdiction uses an automated speed limit enforcement system in a work zone, the work zone must:

- (1) Have a duration of at least four hours;
- (2) Have reduced speed limits in effect;
- (3) Have a normal posted speed limit of 60 MPH or greater;
- (4) Be located within the jurisdiction's borders; and
- (5) Be marked by "ROAD WORK AHEAD" and "END WORK ZONE" signs.

The work zone system must only be used when work zone workers are

present, and only for the duration of the work zone, and only one system may be installed and in use per work zone.

In order for a jurisdiction to utilize an automated traffic enforcement system or to enforce red-light or speed limit violations on any road included as part of the state highway system, the jurisdiction must obtain prior approval through a contract with the State Highways and Transportation Commission.

PROPONENTS: Supporters say that the bill would decrease accidents and provide consistency with regard to points assessed against a person who is caught via an automated traffic enforcement system.

Testifying for the bill were Representative Hinson; Edward Dowd, Dowd Bennett LLP; Thomas Jackson; and Missouri Municipal League.

OPPONENTS: There was no opposition voiced to the committee.