



REPUBLICAN CAUCUS STAFF
HOUSE OF REPRESENTATIVES
STATE CAPITOL
DES MOINES, IOWA 50319
515.281.3440
IOWAHOUSEREPUBLICANS.COM

HOUSE REPUBLICAN STAFF ANALYSIS

Bill: House File 549
Committee: State Government
Date: April 5, 2011
Staff: Kristi Kielhorn (2-5290)
Members: Representatives Watts

Traffic Cameras

House File 549 regulates the use of Automated Traffic Enforcement Systems.

Summary of Action

Passed House Transportation 20-0-1
Passed House 90-8
Referred to Senate Judiciary

Section by Section Analysis

Section 1—Definition of Automated Traffic Enforcement System

This section defines *Automated Traffic Enforcement System* in the motor vehicle chapter as a device with one or more sensors that work in conjunction with at least one of the following:

- A traffic light—to produce recorded images of cars entering an intersection during a red light.
- A signal at a railroad grade crossing—to produce recorded images of cars violating a red light.
- A speed measuring device—to produce recorded images of speeding cars.

Section 2—Automated Traffic Enforcement Systems

This section states that by ordinance, local authorities may authorize the use of cameras within some parameters (discussed below).

This section covers signage by requiring that they follow the uniform system in Iowa Code 321.252 and:

- Be posted on each road approaching the next traffic-control signal where cameras are used.
- Be posted on the approach to the next speed limit zone on a road where cameras are being used for speed limit enforcement.
- There must be temporary signs on the approach to each location where mobile cameras are being used for speed limit enforcement.

- There must be temporary or permanent signs for speed cameras at a distance relative to the speed that would give a driver adequate notice.

This section also requires that recorded images evidencing a violation be reviewed by a local peace officer to confirm that a violation occurred. If a fine is issued the following requirements apply:

- An affidavit signed (or electronic signature) by a peace officer shall be included.
- The notice must contain a statement, in bold type, regarding the appeal process for a fine.
- The notice must be sent to the owner of the car involved not more than 30 days.

Additionally, a local authority cannot charge any administrative costs in addition to any civil penalty.

Civil violations shall not exceed the following amounts:

- For a red-light violation—\$50.
- For a speeding violation, the amount of the corresponding fine established in Iowa Code Section 805.8A (scheduled fines), subject to the limitations established in Iowa Code Section 331.302 and 364.3 (no ordinance fine can exceed \$625).

This section also requires that cities using cameras annually file with the Department of Public Safety a report comparing the type and rate of accidents where cameras are used.

Section 3—Existing Automatic Traffic Enforcement Systems

This section states that notices mailed or citations issued prior to the effective date shall not be invalidated, and shall be processed according to the provisions of the law under which they were authorized.