

TRAFFIC LIGHT ENFORCEMENT

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jennifer M. Seelig

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending provisions relating to traffic light enforcement.

Highlighted Provisions:

This bill:

- ▶ defines automated red light traffic enforcement system;
- ▶ authorizes the use of an automated red light traffic enforcement system in certain circumstances;
- ▶ establishes requirements for citations issued through the use of an automated red light traffic enforcement system;
- ▶ requires a highway authority to make certain information relating to automated red light traffic enforcement available upon request;
- ▶ requires a local highway authority authorizing the use of an automated red light traffic enforcement system to provide and ensure that certain procedures will be followed regarding dismissal and appeal of a citation; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None



Utah Code Sections Affected:

ENACTS:

41-6a-610, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **41-6a-610** is enacted to read:

41-6a-610. Definitions -- Automated red light traffic enforcement -- Restrictions on use.

(1) As used in this section, "automated red light traffic enforcement system" means an electronic system consisting of a photographic, video, or electronic camera and a vehicle sensor installed to work in conjunction with a traffic control device to automatically produce photographs, video, or digital images of a vehicle moving in violation of the traffic control device.

(2) An automated red light traffic enforcement system may be used if:

(a) use of an automated red light traffic enforcement system by a local highway authority is approved by the local highway authority's governing body;

(b) the citation is accompanied by the photographs or digital images meeting the requirements of Subsection (3) produced by the automated red light traffic enforcement system at the time of the violation; and

(c) the authorizing jurisdiction ensures, through written policy, the following:

(i) a recipient of a citation is entitled to the same rights and obligations regarding appeal and dismissal of citations as otherwise provided for other citations issued under this chapter, including the right to appear before a hearing officer to challenge a citation; and

(ii) a citation issued under this section is issued according to the same guidelines that an officer would apply when determining whether or not to issue a citation for another violation under this chapter.

(3) The photographs or images produced by an automated red light traffic enforcement system shall include:

(a) a photograph or digital image of the operator of the motor vehicle; and

(b) a photograph or digital image of the license plate of the motor vehicle.

(4) The restrictions under Subsection (2) on the use of an automated red light traffic

59 enforcement system do not apply when the information gathered is used for highway safety
60 research or to issue warning citations not involving a fine, court appearance, or a person's
61 driving record.

62 (5) The department or any local highway authority using an automated red light traffic
63 enforcement system, upon request, shall make the following information available for public
64 inspection during regular office hours:

65 (a) the terms of any contract regarding the purchase, lease, rental, or use of an
66 automated red light traffic enforcement system;

67 (b) the total fine revenue generated by using an automated red light traffic enforcement
68 system;

69 (c) the number of citations issued by the use of an automated red light traffic
70 enforcement system; and

71 (d) the amount paid to the person providing the automated red light traffic enforcement
72 system.

Legislative Review Note
as of 2-5-07 2:04 PM

Office of Legislative Research and General Counsel

H.B. 470 - Traffic Light Enforcement

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations. Local governments may generate additional revenue.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses. Local governments which choose to implement this traffic enforcement system may be impacted.
