

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1858

Bill Subtitle: TO AMEND THE LAW CONCERNING THE OPERATION OF AN AUTOMATED ENFORCEMENT DEVICE BY A MUNICIPALITY OR DEPARTMENT OF STATE GOVERNMENT OPERATING WITHIN THE BOUNDARIES OF A MUNICIPALITY.

Basic Change :

Sponsor: Rep. Richardson

HB1858 amends the use of automated enforcement devices by state and local government agencies. An "automated enforcement device" is defined as a system that uses a photo-radar device that is capable of detecting a speeding violation.

HB1858 amends the permissible uses of automated enforcement devices by:

- Permitting the use of automated enforcement devices to detect and enforce a violation of traffic laws or ordinances anywhere within the municipality;
- Removing the requirement that a police officer personally deliver a ticket at the time of violation where a photo-radar gun is used by an officer to detect a traffic violation; and
- Allowing the use of photo-radar devices to capture images of vehicles in violations involving a traffic control device or traffic control signal.

HB1858 provides that the penalty imposed on convictions for traffic violations detected solely by these automated devices may include any fine authorized by law for that specific traffic violation but shall not result in the assessment of points against the person's driver's license.

Revenue Impact :

None.

Taxpayer Impact :

A taxpayer may receive a citation based on automated enforcement device instead of a police officer issuing the driver a citation at the time of the offense.

Resources Required :

Computer programming and ongoing maintenance of programming changes would be required.

Time Required :

Adequate time is provided for implementation.

Procedural Changes :

The Office of Driver Services (ODS) would assist Law Enforcement Agencies and Administrative Offices of the Courts (AOC) with training materials for employees and updating conviction dispositions and traffic tickets.

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Other Comments :

None

Legal Analysis :

None.