

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 508

DATE: March 2, 2004

Version: As introduced

Authors: Hausman

Subject: Use of photographic evidence in traffic signal violations

Analyst: John Williams, 651-296-5045

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Section

- 1 Use of vehicle to violate traffic signal.** Provides that the owner or lessee of a motor vehicle that commits a traffic signal violation that is detected through photographic evidence is guilty of a petty misdemeanor. Allows citations to be issued by mail.

Exempts vehicles if the owner presents written evidence that the vehicle was reported as stolen, or if the vehicle is leased and the lessor keeps a record of the name and address of the lessee.

Provides that this provision does not prohibit or limit other prosecutions for traffic signal violations.

- 2 Traffic signal violations detected by photo.** Allows a city or urban town to adopt an ordinance to develop and implement a program to allow peace officers to detect traffic signal violations using photographic evidence. Requires such a program to:

- be limited to traffic signal violations only
- require inspection and certification of photo equipment by a peace officer before issuance of a citation
- provide for acceptance of the certification as prima facie evidence of a traffic signal violation
- provide that citations only for traffic signal violations be issue by mail within 7 days

Section

of the offense

- provide that photo systems operate so that the violating vehicle is identified but occupants are not
- provide that all records of convictions using photographic evidence note that fact
- require signs to notify drivers that photo systems are in place to detect signal violations

Requires cities and towns implementing such a program consult with the Department of Public Safety in establishing the program.

Subd. 2. Fines. Requires cities and towns participating in the program to impose fines for violations detected by photo evidence at least equal to the fine for a violation of the state law governing traffic signals specified in the uniform fine schedule established by the conference of chief judges. Requires all fines collected as a result of photo evidence to be placed in the city or town's general revenue fund.

Subd. 3. Data. Makes photographic evidence and records of convictions obtained using photographic data "private data on individuals."

Provides that contracts with a private person for operation of a photographic evidence program are subject to the law that makes data collected under a public contract with a private entity subject to data privacy laws.

3 **Effective date.** Makes sections 1 and 2 effective August 1, 2003.