

An Act relative to automated enforcement

H.2426 Representative Michelle Ciccolo

H.2532 Representative Paul Tucker

S.1545 Senator William Brownsberger

An act relative to automated enforcement implements the legal mechanisms to support camera enforcement. The bill is carefully crafted to with two principal concerns about automated enforcement in mind (a) the concern that municipalities might use automated enforcement in unreasonable ways to make money; (b) the concern that cameras create a privacy risk.

The bill takes those concerns into account, while also taking police out of simple traffic violations which has potential equity impacts. Automated enforcement can also work to make our roadways safer and prevent fatal crashes.

Cameras may only be used for “camera enforceable violations” which include:

- » Failure to stop at a steady red light;
- » Making an illegal right on a steady red light;
- » Speeding;
- » Passing a school bus when warning signals are activated;
- » Blocking an intersection;
- » Driving in a bus lane.

Included in this bill:

- » Allows municipalities to install cameras to enforce certain traffic infractions, such as red light running, speeding, passing a stopped school bus, and more
- » Provides restrictions around use and dissemination of images in order to protect drivers’ and vehicle owners’ privacy
- » Determines a maximum penalty of \$25 for each violation, which will not be counted as a criminal conviction and will not be made part of the operating record of the vehicle owner (will not add points to the owner’s license, affect insurance premiums, or results in license revocation
- » Creates procedures for notifying the public about locations where cameras are in use

Protections against unreasonable enforcement include:

- » The maximum fine is limited to \$25.
- » Compensation to vendors of automated enforcement may not be based on the volume of tickets.
- » Municipalities must transfer any net profits from the use of cameras to the state.
- » Each location must be approved by the top municipal executive (city manager, mayor or board of selectmen) after a public hearing.
- » Signage must be posted to notify motorists of the cameras.

Protections for motorist privacy include:

- » Cameras may only take photographs when a violation occurs.
- » Cameras will not photograph the front of the violating vehicle and, to the extent practicable, additional efforts will be made to avoid capturing identifiable images of the occupants or contents of the vehicle.
- » Information derived from the camera may not be used by the camera vendor for any purpose other than enforcing violations.
- » Photographs and other information collected by the camera systems are not public records.

