

1 INTERIM STUDY PROPOSAL 2017-078

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3 REQUESTING THAT THE LEGISLATIVE COUNCIL REFER TO THE HOUSE
4 COMMITTEE ON PUBLIC TRANSPORTATION A STUDY TO EVALUATE THE NEED
5 FOR AND FEASIBILITY OF USING AUTOMATED ENFORCEMENT SYSTEMS TO
6 ENFORCE TRAFFIC LAWS.

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8 WHEREAS, motor vehicle accidents caused by motorists running red lights
9 are responsible for approximately two hundred sixty thousand (260,000)
10 injuries and seven hundred fifty (750) fatalities each year, according to the
11 Insurance Institute for Highway Safety; and

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13 WHEREAS, data collected in 2014 by the Insurance Institute for Highway
14 Safety shows that more than fifty percent (50%) of the fatalities that year
15 were bicyclists, pedestrians, and occupants in the other motor vehicles that
16 did not run the red light; and

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18 WHEREAS, red light cameras and photo radar are two (2) types of
19 automated enforcement systems that allow local law enforcement agencies to
20 enforce traffic laws remotely; and

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22 WHEREAS, red light cameras are linked to traffic signals and are
23 triggered when a motorist drives through an intersection after the traffic
24 signal has turned red; and

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26 WHEREAS, a photo radar system is equipped with both a radar speed
27 detector and a camera that is triggered when a speeding vehicle is detected;
28 and

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30 WHEREAS, in the United States, over four hundred (400) communities use
31 red light cameras and over one hundred thirty (130) communities use cameras
32 to enforce speed laws; and

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34 WHEREAS, the results of the studies conducted by the Insurance
35 Institute for Highway Safety on the effectiveness of automated enforcement
36 vary but generally show a positive impact on traffic safety; and

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WHEREAS, ideal automated enforcement system programs focus on safety outcomes rather than revenue increases, discourage would-be violators by publicizing the programs, and increase the odds that motorists who run red lights or speed through intersections are held accountable; and

WHEREAS, laws regarding automated enforcement systems generally establish guidelines for municipal governments to develop automated enforcement systems; and

WHEREAS, the use of photo radar by a county or a department of state government as an automated enforcement device is prohibited under Ark. Code Ann. § 27-52-110 and Ark. Code Ann. § 27-52-111, except in school zones and at railroad crossings where a law enforcement officer is required to be present with the photo-radar device and to issue a citation at the time of the offense; and

WHEREAS, several federal requirements will go into effect in fiscal year 2018 affecting the use of automated enforcement systems, including:

(1) Prohibiting states from using federal funds from the Highway Safety Improvement Program of the Federal Highway Safety Administration or from highway safety grant programs provided by the National Highway Traffic Safety Administration to purchase, operate, or maintain automated enforcement systems, except for those in school zones; and

(2) Requiring that states with automated enforcement systems conduct a biennial survey that includes:

- (A) A list of automated enforcement systems in the state;
- (B) Data to measure transparency;
- (C) Accountability and safety; and
- (D) A comparison of the state's automated enforcement

systems to earlier United States Department of Transportation guidelines on automated red-light-running-enforcement programs,

NOW THEREFORE,
BE IT PROPOSED BY THE ARKANSAS LEGISLATIVE COUNCIL OF THE NINETY-FIRST
GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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THAT the Legislative Council refer to the House Committee on Public Transportation a study to evaluate the need for and feasibility of using automated enforcement systems to reduce red light violations and speeding violations, including without limitation:

- (1) The implementation of automated enforcement system programs by municipalities;
- (2) The penalties imposed for a violation; and
- (3) Any privacy issues associated with the use of automated enforcement systems.

Respectfully submitted,

Representative Justin Boyd
District 77

By: DTP/DTP