

FIRST REGULAR SESSION

# HOUSE BILL NO. 579

## 98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HINSON.

1470H.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to automated traffic enforcement systems, with a penalty provision.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be known as section 304.875, to read as follows:

**304.875. 1. Notwithstanding the provisions of sections 302.225 or 302.302 or any other provision of law to the contrary, any conviction for an infraction based solely upon evidence obtained from an automated traffic enforcement system shall not have a point value under section 302.302, the director of revenue shall not assess points for a conviction of such an infraction, and no court having jurisdiction over such violations shall forward a record of any plea or finding of guilt of any person in the court for such infraction to the department of revenue.**

**2. Any person found to have committed a violation of a county or municipal traffic ordinance or regulation that was charged solely upon evidence obtained from an automated traffic enforcement system shall be guilty of an infraction punishable by a fine in an amount not to exceed one hundred thirty-five dollars.**

**3. Any jurisdiction utilizing an automated traffic enforcement system at an intersection controlled by traffic control signals exhibiting different colored lights or colored lighted arrows to enforce red-light violations on any road not included as part of the state highway system shall prior to installation or use:**

**(1) Adopt an ordinance which authorizes the jurisdiction's utilization of the automated traffic enforcement system;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 18           (2) Undergo an engineering review that includes a site evaluation and a crash study  
19 under subsection 4 of this section;
- 20           (3) Determine signal timing for yellow change and red change clearance intervals  
21 in accordance with the Manual on Uniform Traffic Control Devices;
- 22           (4) Employ the services of a peace officer standards and training (POST) certified  
23 law enforcement officer to review and determine whether a red-light violation occurred  
24 under the automated traffic enforcement system;
- 25           (5) Display signs located a sufficient distance in advance of each intersection  
26 approach containing the following: "SIGNAL IS PHOTO ENFORCED"; and
- 27           (6) Conduct a public awareness campaign at least thirty days prior to issuing  
28 citations.
- 29           4. Any jurisdiction utilizing an automated traffic enforcement system to enforce  
30 speed limits on any road not included as part of the state highway system shall:
- 31           (1) Adopt an ordinance which authorizes the jurisdiction's utilization of the  
32 automated traffic enforcement system;
- 33           (2) Restrict the use of such system to only school zones, work zones, and zones  
34 determined by the jurisdiction to have fatal or disabling motor vehicle crashes exceeding  
35 a predicted safety performance level for comparable roads;
- 36           (3) Employ the services of a POST certified law enforcement officer to review and  
37 determine whether a speed limit violation occurred under the automated traffic  
38 enforcement system;
- 39           (4) Display signs located a sufficient distance in advance of each intersection  
40 approach containing the following: "SPEED LIMIT XX; PHOTO ENFORCED";
- 41           (5) Identify the end of an automated speed limit enforcement system zone with a  
42 sign containing the following: "END PHOTO ENFORCEMENT"; and
- 43           (6) Conduct a public awareness campaign at least thirty days prior to issuing  
44 citations.
- 45           5. If a jurisdiction uses an automated speed limit enforcement system in a school  
46 zone, the following conditions shall apply:
- 47           (1) Where school speed limit signing is installed, flashers shall be installed with the  
48 signing;
- 49           (2) The flashers shall only be activated at times when the school speed limit applies;
- 50           (3) The speed limit shall only be active when children are likely to be present; and
- 51           (4) The system shall not be allowed in school zones without a reduced speed limit  
52 or flashers.

53           **6. If a jurisdiction uses an automated speed limit enforcement system in a work**  
54 **zone, the following conditions shall apply:**

55           **(1) The work zone shall:**

56           **(a) Have a duration of at least four hours;**

57           **(b) Have reduced speed limits in effect;**

58           **(c) Have a normal posted speed limit of sixty miles per hour or greater; and**

59           **(d) Be located within the jurisdiction's boundaries.**

60           **(2) The work zone shall be marked by "ROAD WORK AHEAD" and "END WORK**  
61 **ZONE" signs;**

62           **(3) The system shall only be used if work zone workers are present and only for the**  
63 **duration of the work zone; and**

64           **(4) Only one system shall be installed and in use per work zone.**

65           **7. Notwithstanding any other provision of law to the contrary, in order for any**  
66 **jurisdiction to utilize an automated traffic enforcement system to enforce red-light or speed**  
67 **limit violations on any road included as part of the state highway system, the jurisdiction**  
68 **shall obtain the prior approval of the state highways and transportation commission**  
69 **evidenced by a contract executed between the jurisdiction and the commission.**

70           **8. As used in this section, the following terms shall mean:**

71           **(1) "Crash study", an evaluation of the crash data for an intersection, including**  
72 **consideration of how any crash, particularly a right-angle crash, may have been the result**  
73 **of a red-light violation;**

74           **(2) "Site evaluation", an evaluation to ensure other measures have already been**  
75 **considered or implemented to improve safety at the intersection. Site evaluation includes**  
76 **a review of the intersection to ensure components of the signal are visible and conspicuous**  
77 **and that the timing is appropriate of red-light cameras that might impact the overall**  
78 **operation of the signal.**

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