

Summary of Amendment #01478673 on HB3024/SB2918
Product of Chairman Phillip Johnson's Working Group

Housekeeping (Section 1)

- Renames “surveillance camera” as “traffic enforcement camera” throughout the code.

POST Certified Police Officer (Section 2)

- Amends current law to require a POST certified police officer to view evidence from a traffic enforcement camera and issue the citation.
- Current statute only requires an “employee” of the law enforcement agency.

Traffic engineering study required for new traffic enforcement cameras (Section 3)(1))

- Prior to any new traffic enforcement camera, a traffic engineering study must be conducted. The study shall:
 - 1) Assure that reasonable engineering solutions have been attempted
 - 2) Document the need for traffic enforcement camera
 - 3) Follow standard engineering practices as determined by the Institute of Transportation Engineers (ITE)
 - 4) Be stamped by a professional engineer specializing in traffic engineering licensed to practice in Tennessee
- A vendor of traffic enforcement camera systems shall not be allowed to conduct the traffic engineering study, or participate in the selection of the traffic engineer.

Study requirements for new red light cameras (Section 3)(1)(A))

- At minimum the study shall include the following:
 - 1) Verification that the intersection meets signal warrants as defined in the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD).
 - 2) Verification that the intersection meets all the requirements in the MUTCD with regard to signal layout, signing, and marking.
 - 3) Verification that the signal head displays are at least 12 inches in diameter and have back plates with yellow retro-reflective strips. The number and configuration of the signal head displays shall meet the latest edition of the MUTCD to maximize visibility of the displays.

- 4) A crash history at the intersection must establish a rate higher than the statewide crash rate for similar intersections across the state based on at least the last 3 years of crash history. If there are unique circumstances at a specified location, at least 1 year of crash history may be used, including the time period during which other engineering alternatives have been tried.
- 5) Angle crashes shall compose 10% or more of the overall crash rate at the intersection.
- 6) Signal timing at the intersection shall be reviewed and optimized for the intersection. Yellow clearance intervals shall be calculated by standard engineering practices as outlined by the ITE. If the intersection is part of a coordinated signal system, the system timing shall be reviewed and optimized. All-red clearance intervals shall have been tried for at least 6 months without significantly reducing angle crashes prior to traffic enforcement camera implementation.
- 7) Calculation of the violation rate of motor vehicles running the red light at the intersection, either manually or through the use of video cameras over at least a 24 hour period.
- 8) Documentation that traditional enforcement methods are cost-prohibitive or of considerable risk to law enforcement, motorists or pedestrians.
- 9) All documentation, including traffic engineering and traffic safety studies, shall be compiled by the governing body maintaining traffic enforcement cameras establishing the need for traffic enforcement cameras and made a public record.

Study requirements for new speed cameras (Section 3 ()(3)(1)(B))

- At minimum the study shall include the following:
 - 1) Verification that the current speed limit has been established by an engineering study and posted in accordance with the requirements of the MUTCD.
 - 2) Verification that reasonable engineering solutions have been attempted. Reasonable engineering solutions shall include, but not be limited to, speed limit signing in advance of the detection area and advanced speed reduction warning signs installed in accordance with the MUTCD, if the enforcement zone is in an area of reduced speed.
 - 3) A calculation of the violation rate for the posted speed limit. Counts of speed violations shall be done manually, through the use of video cameras or by the use of generally accepted speed monitoring equipment over at least a seven-day period.
 - 4) All regulatory, speed limit and warning signs shall meet the conventional road size or larger requirements of the MUTCD. Minimum size signing shall not be allowed.

- 5) Documentation that traditional enforcement methods are cost-prohibitive or of considerable risk to law enforcement, motorists or pedestrians
- 6) All documentation, including traffic engineering and traffic safety studies, shall be compiled by the governing body maintaining traffic enforcement cameras establishing the need for traffic enforcement cameras and made a public record.

Operational requirements for new and existing red light cameras (Section 3()(2)(A))

- On or after January 1, 2011, the following is required:
 - 1) The intersection shall have a minimum one-half (0.5) second all-red clearance interval.
 - 2) To cite for right turn on red violations, signage shall be posted at the stop line with the following language "STOP HERE ON RED" in accordance with the MUTCD. If there is no signage, no citations for right turn on red shall be issued.
 - 3) Signage indicating the intersection is video enforced shall be placed in advance of the zone in accordance with current state law (500-1000 feet before the intersection). All regulatory and warning signs relating to the intersection shall meet the conventional road size or larger requirements of the MUTCD. Minimum size signing shall not be allowed.
 - 4) To run a red light, the target vehicle must have its front tire or tires on or before the stop line when the signal is red, and its rear tire or tires must past the stop line while the signal is red.
 - 5) The governing body maintaining traffic enforcement cameras shall:
 - Verify the intersection meets signal warrants as defined in the latest edition of the MUTCD
 - Verify the intersection meets all the requirements in the MUTCD with regard to signal layout, signing and marking
 - Verify signal head displays are at least 12 inches in diameter and have back plates with yellow retro-reflective strips. The number and configuration of the signal head displays shall meet the latest edition of the MUTCD to maximize visibility of the displays
 - Review and optimize the signal timing for the intersection. Yellow and all-red clearance intervals shall be calculated by standard engineering practices as outlined by the ITE. If the intersection is part of a coordinated signal system, the system timing shall be reviewed and optimized.
 - Compile all documentation establishing the need for existing traffic enforcement cameras and make it public record.

Operational requirements for new and existing speed cameras (Section 3 ()(2)(B))

- On or after January 1, 2011, the following is required:
 - 1) Verification that the current speed limit has been established by an engineering study and posted in accordance with the requirements of the MUTCD.
 - 2) Signage indicating that the location is video enforced shall be placed in advance of the zone in accordance with current state law. All regulatory and warning signs shall meet the conventional road size or larger requirements of the MUTCD. Minimum size signing shall not be allowed.
 - 3) Written documentation that all speed monitoring equipment is verified for accuracy by a qualified equipment traffic enforcement technician at least every 6 months.
 - 4) All documentation establishing the need for existing traffic enforcement cameras is to be compiled and made a public record.

Traffic enforcement camera use for school zones (Section 3 ()(3))

- Traffic cameras in school zones are exempt from the above operational requirements. However, the following is required:
 - 1) Proper signs are posted with a warning flasher or flashers in accordance with the MUTCD and in operation while children are actually present.
 - 2) Signage indicating that any such school zone is video enforced shall be placed in advance of the zone in accordance with current state law.
 - 3) All regulatory and warning signs relating to the intersection shall meet the conventional road size or larger requirements of the MUTCD. Minimum size signing shall not be allowed

City to submit signed contract to Comptroller

- The signed contract with the vendor shall be submitted the contract to the Comptroller's Office.
- The Comptroller may audit any city using traffic enforcement cameras to ensure compliance with state law governing traffic enforcement cameras.

\$50 fine only and no court costs

- A violation from a traffic enforcement camera is a non-moving violation, subject a \$50 fine only.
- Court costs shall not be assessed against any person who pays on time. An additional penalty or cost may be assessed if a second notice is sent.

Public announcement and warning notices for 30 days

- Prior to issuing citations from traffic enforcement cameras at any new location, a local governing body shall commence a program to issue only warning notices for 30 days.
- The local governing body shall also make a public announcement of the traffic enforcement camera at least 30 days prior to the commencement of the traffic enforcement camera program at the new location.

Other provisions

- If a court finds that a traffic enforcement camera is operated in violation the above operational requirements, any traffic citation based solely on evidence generated from traffic enforcement cameras is invalid.
- Defines “stop line” in statute (Section 4)
- Incorporates the term “stop line” into the statutes dealing with turning right on red and turning right at a stop sign. (Sections 5 and 6)
- Clarifying language regarding right turn on red (Section 5)
- Bill becomes effective July 1, 2010. (Section 7)