

House Bill 2701

Sponsored by Representative BARTON, Senator BATES; Representatives HOLVEY, KAHL, KOMP, MAURER, READ, STIEGLER, WEIDNER, WHISNANT, WITT, Senators BONAMICI, BOQUIST, BURDICK, METSGER, MORRISETTE, STARR

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits cities that use photo red light cameras from providing compensation to manufacturers and vendors of photo red light cameras based on number of citations issued or percentage of moneys collected from payment of fines.

Prohibits cities that use photo red light cameras and photo radar from collecting more than five percent of annual budget from citations issued using photo red light cameras and photo radar.

A BILL FOR AN ACT

1
2 Relating to motor vehicles; amending ORS 810.434 and 810.438.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 810.434 is amended to read:

5 810.434. (1) Any city may, at its own cost, operate cameras designed to photograph drivers who
6 violate ORS 811.265 by failing to obey a traffic control device.

7 (2) Cameras operated under this section may be mounted on street lights or put in other suitable
8 places.

9 (3) A city that chooses to operate a camera shall:

10 (a) Provide a public information campaign to inform local drivers about the use of cameras be-
11 fore citations are actually issued; and

12 (b) Once each biennium, conduct a process and outcome evaluation for the purposes of sub-
13 section [(4)] (5) of this section that includes:

14 (A) The effect of the use of cameras on traffic safety;

15 (B) The degree of public acceptance of the use of cameras; and

16 (C) The process of administration of the use of cameras.

17 (4) **A city that operates a camera under this section may not:**

18 (a) **Provide compensation to a manufacturer or vendor of the cameras:**

19 (A) **Based on the number of traffic citations issued using the cameras; or**

20 (B) **Based on a percentage of the moneys generated by the payment of fines from cita-**
21 **tions issued using the cameras.**

22 (b) **Collect more than five percent of its annual budget from the payment of fines from**
23 **citations issued using the cameras.**

24 [(4)] (5) By March 1 of the year of each regular session of the Legislative Assembly, each city
25 that operates a camera under this section shall present to the Legislative Assembly the process and
26 outcome evaluation conducted by the city under subsection (3) of this section.

27 **SECTION 2.** ORS 810.438 is amended to read:

28 810.438. (1) The following jurisdictions may, at their own cost, operate photo radar:

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (a) Albany.
 - 2 (b) Beaverton.
 - 3 (c) Bend.
 - 4 (d) Eugene.
 - 5 (e) Gladstone.
 - 6 (f) Medford.
 - 7 (g) Milwaukie.
 - 8 (h) Oregon City.
 - 9 (i) Portland.
 - 10 (j) Tigard.
 - 11 (2) A photo radar system operated under this section:
 - 12 (a) May be used on streets in residential areas or school zones.
 - 13 (b) May be used in other areas if the governing body of the city makes a finding that speeding
 - 14 has had a negative impact on traffic safety in those areas.
 - 15 (c) May not be used for more than four hours per day in any one location.
 - 16 (d) May not be used on controlled access highways.
 - 17 (e) May not be used unless a sign is posted announcing "Traffic Laws Photo Enforced." The sign
 - 18 posted under this paragraph must be all of the following:
 - 19 (A) On the street on which the photo radar unit is being used.
 - 20 (B) Between 100 and 400 yards before the location of the photo radar unit.
 - 21 (C) At least two feet above ground level.
 - 22 (3) A city that operates a photo radar system under this section shall, once each biennium,
 - 23 conduct a process and outcome evaluation for the purposes of subsection [(4)] (5) of this section that
 - 24 includes:
 - 25 (a) The effect of the use of the photo radar system on traffic safety;
 - 26 (b) The degree of public acceptance of the use of the photo radar system; and
 - 27 (c) The process of administration of the use of the photo radar system.
 - 28 (4) **A city that operates a photo radar system under this section may not collect more**
 - 29 **than five percent of its annual budget from the payment of fines from citations issued using**
 - 30 **photo radar.**
 - 31 [(4)] (5) By March 1 of the year of each regular session of the Legislative Assembly:
 - 32 (a) The Department of Transportation shall provide to the Legislative Assembly an executive
 - 33 summary of the process and outcome evaluations conducted under subsection (3) of this section; and
 - 34 (b) Each city that operates a photo radar system under this section shall present to the Legis-
 - 35 lative Assembly the process and outcome evaluation conducted by the city under subsection (3) of
 - 36 this section.
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