

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Highway Order No. H-2014-33  
Submitted by Steve Gent Phone No. 515-239-1129 Meeting Date Dec.10, 2013  
Title Administrative Rules - 761 IAC 144, Automated Traffic Enforcement on the Primary Road System

DISCUSSION/BACKGROUND:

The department is proposing to adopt a new rule chapter concerning automated traffic enforcement (ATE) on the Primary Road System that will govern the implementation and placement of those ATE systems. These rules address both fixed and mobile systems and include speed and red-light camera enforcement and will ensure consistency statewide in the use of ATE systems.

The department held a public hearing on October 30, 2013, where 13 people shared their comments. The department also received 164 written comments during the public comment period that ended on October 31, 2013. Most of the comments received did not address any specific issues related to the proposed rules, rather they either favored or opposed existing camera systems or addressed topics that were beyond the department's authority. Based on the comments received, the following changes to the Notice of Intended Action were made:

1. Subparagraph 144.6(1)"b"(10) was added to paragraph 144.6(1)"b" to prevent automated traffic enforcement systems from being placed within the first 1,000 feet of a lower speed limit. This change provides drivers a reasonable distance to adjust their speed to a lower speed limit before encountering an automated speed camera.
2. Paragraph 144.6(1)"c" stating that mobile automated traffic enforcement systems in a vehicle shall be owned and operated by a law enforcement agency, be marked with official decals and have an "official" license plate affixed to the vehicle was moved to new paragraph 144.6(3)"b" because it better fits under the subrule concerning enforcement.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the attached rules.

COMMISSION ACTION:

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

  
Division Director

  
Legal

  
State Director

	Aye	Vote Nay	Pass
Cleaveland	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Rielly	_____	_____	_____
Rose	_____	_____	_____
Wiley	_____	_____	_____
Yanney	_____	_____	_____

Adopt the following new 761—Chapter 144:

CHAPTER 144

AUTOMATED TRAFFIC ENFORCEMENT ON THE PRIMARY ROAD SYSTEM

**761—144.1(307) Purpose.** The purpose of this chapter is to establish requirements, procedures, and responsibilities in the use of automated traffic enforcement systems on the primary road system. This chapter ensures consistency statewide in the use of automated traffic enforcement systems on the primary road system and pertains to fixed and mobile automated enforcement.

**761—144.2(307) Contact information.** Information relating to this chapter may be obtained from the Office of Traffic and Safety, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

**761—144.3(307) Definitions.** As used in this chapter:

“*Automated enforcement*” means the use of automated traffic enforcement systems for enforcement of laws regulating vehicular traffic.

“*Automated traffic enforcement system*” means a system that operates in conjunction with an official traffic-control signal, as described in Iowa Code section 321.257, or a speed measuring device to produce recorded images of vehicles being operated in violation of traffic or speed laws.

“*High-crash location*” means a location where data indicates a greater frequency or higher rate of crashes when compared with other similar locations within the local jurisdiction, other like jurisdictions, or larger metropolitan area.

“*High-risk location*” means a location where the safety of citizens or law enforcement officers would be at higher risk through conventional enforcement methods.

“*Interstate roads*” means the same as defined in Iowa Code section 306.3.

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“*Local jurisdiction*” means a city or county.

“*Primary road system*” means the same as defined in Iowa Code section 306.3.

#### **761—144.4(307) Overview.**

##### **144.4(1) *General.***

a. Automated enforcement shall only be considered after other engineering and enforcement solutions have been explored and implemented.

b. An automated traffic enforcement system should not be used as a long-term solution for speeding or red-light running.

c. Automated enforcement should only be considered in extremely limited situations on interstate roads because they are the safest class of any roadway in the state and they typically carry a significant amount of non-familiar motorists.

d. Automated enforcement shall only be considered in areas with a documented high-crash or high-risk location in any of the following:

(1) An area or intersection with a significant history of crashes, which can be attributed to red-light running or speeding.

(2) A school zone.

##### **144.4(2) *Applicability.***

a. These rules apply only to local jurisdictions using or planning to use automated enforcement on the primary road system.

b. The department does not have the authority to own or operate any automated traffic enforcement system.

c. The department shall not receive any financial payment from any automated traffic enforcement system owned or operated by a local jurisdiction.

144.4(3) *Department approval.* A local jurisdiction must obtain approval from the department prior to using an automated traffic enforcement system on the primary road system.

**761—144.5(307) Automated traffic enforcement system request.**

144.5(1) *Justification report.* A local jurisdiction requesting to use an automated traffic enforcement system on the primary road system shall provide the department a justification report. A licensed, professional engineer knowledgeable in traffic safety shall sign the justification report.

a. The justification report shall provide all necessary information and documentation to clearly define the area, provide evidence documenting why the area is a high-crash or high-risk location, and describe the process used to justify the automated traffic enforcement request.

b. At a minimum, the justification report shall:

(1) Document existing traffic speeds, posted speed limits, traffic volumes, and intersection or roadway geometry. Provide assurance that existing speed limits and traffic signal timings are appropriate and describe how they were established.

(2) Document applicable crash history, the primary crash types, crash causes, crash severity, and traffic violations. Only crashes attributable to speeding or the running of a red light shall be included in this report. Compare crash data with other similar locations within the local jurisdiction, other like jurisdictions, or larger metropolitan area.

(3) Identify the critical traffic safety issue(s) from the data in subparagraphs 144.5(1)“b”(1) and (2) above and provide a comprehensive list of countermeasures that may address the critical traffic safety issue(s).

(4) Document solutions or safety countermeasures that have been implemented along with those that have been considered but not implemented. These may include law enforcement, engineering, public education campaigns, and other safety countermeasures.

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(5) Document discussions held and actions taken with partnering agencies that have resources which could aid in the reduction of crashes attributable to speeding or the running of a red light.

(6) Document why the local jurisdiction believes automated enforcement is the best solution to address the critical traffic safety issue(s).

c. If the request is for a mobile automated enforcement system, the justification report shall also:

(1) Include a description of the mobile unit.

(2) Include the proposed duration of use at each location and indicate where the unit will be physically placed relative to the curb, shoulder, median, etc.

**144.5(2) Request to department.** The local jurisdiction shall submit a request and a justification report to the appropriate district engineer.

**144.5(3) Department review.** Within 90 days of receipt of the request and a complete justification report, the department will either approve or deny specific automated enforcement locations. The department may need additional response time if collection of data is needed, such as conducting a speed study. Incomplete justification reports will be returned to the local jurisdiction. The department will review the request and justification report, evaluate the process used, and determine if the proposed automated traffic enforcement system is needed and warranted. If approval to proceed is granted to the local jurisdiction, the department shall prepare an agreement which will be signed by the department and the local jurisdiction.

**144.5(4) Public notice.** Once the department receives a request and a complete justification report from a local jurisdiction, the department may notify the public and include information on the department's Web site.

**761—144.6(306,307,318,321) Minimum requirements for automated traffic enforcement**

**systems.** The following minimum requirements must be met for each automated traffic enforcement system.

**144.6(1) *Safe environment for motorists.***

*a.* Any fixed or mobile automated traffic enforcement system must not create a potentially unsafe environment for motorists.

*b.* The system shall:

(1) Be installed and maintained in a safe manner.

(2) Be located where it does not impede, oppose or interfere with free passage along the primary highway right-of-way.

(3) Be located where it does not create a visual obstruction to passing motorists.

(4) Not be placed or parked on any shoulder or median of any interstate highway.

(5) Not be placed or parked within 15 feet of the outside traffic lane of any interstate highway, unless shielded by a crashworthy barrier.

(6) Not be placed or parked on the outside shoulder of any other primary highway for longer than 48 hours unless shielded by a crashworthy barrier.

(7) Not be placed or parked within 2 feet of the back of the curb of a municipal extension of any primary road.

(8) Be placed in a manner to avoid creating traffic backups or delays.

(9) Not be placed nor operational within the defined limits of any construction or maintenance work zone.

(10) Not be placed within the first 1,000 feet of a lower speed limit.

**144.6(2) *Signage.***

*a.* Permanent signs may be posted on primary access roads entering local jurisdictions that use automated enforcement technology.

b. For all fixed automated traffic enforcement systems, permanent signs shall be posted in advance of the locations where enforcement systems are in use to advise drivers that cameras are in place.

c. For mobile automated traffic enforcement systems, temporary or permanent signs advising that speed is monitored by automated traffic technology shall be posted in advance of the enforcement area as agreed to by the department and the local jurisdiction.

d. All signing shall be in accordance with the “Manual on Uniform Traffic Control Devices,” as adopted in 761—Chapter 130.

**144.6(3) Enforcement.**

a. If used, automated enforcement technology shall be used in conjunction with conventional law enforcement methods, not as a replacement for law enforcement officer contact.

b. Mobile automated traffic enforcement systems in a vehicle shall be owned and operated by a law enforcement agency, be marked with official decals, and have an “official” license plate affixed to the vehicle.

**144.6(4) Calibration.** Automated traffic enforcement systems require periodic calibration to ensure accuracy and reliability. Calibration shall be conducted by a local law enforcement officer, trained in the use and calibration of the system, at least quarterly for fixed systems and prior to being used at any new location for mobile systems.

**761—144.7(307) Evaluation and reporting.**

**144.7(1) Annual evaluation.** Annually, each local jurisdiction with active automated enforcement on Iowa's primary highway system shall evaluate the effectiveness of its use.

a. At a minimum, the evaluation shall:

- (1) Address the impact of automated enforcement technology on reducing speeds or the number

of red-light running violations for those sites being monitored.

(2) Identify the number and type of collisions at the sites being monitored, listing comparison data for before-and-after years. If the system includes intersection enforcement, only the monitored approaches should be included in the evaluation.

(3) Evaluate and document the automated traffic enforcement system’s impact on addressing the critical traffic safety issue(s) listed in the justification report if a justification report was part of the system’s initial approval process.

(4) Provide the total number of citations issued for each calendar year the system has been in operation.

(5) Certify that the calibration requirements of subrule 144.6(4) have been met.

b. Reserved.

**144.7(2) Reporting requirements.** The annual evaluation shall be reported to the department’s office of traffic and safety at the address listed in rule 761—144.2(307) by May 1 each year following a full calendar year of operation and shall be based on performance for the previous year.

**761—144.8(307) Continued use of automated traffic enforcement system.**

**144.8(1) Reevaluation.** The department will utilize information collected from the annual evaluation reports from local jurisdictions to assist in evaluating the continued need for such systems at each location. Continued use will be contingent on the effectiveness of the system, appropriate administration of it by the local jurisdiction, the continued compliance with these rules, changes in traffic patterns, infrastructure improvements, and implementation of other identified safety countermeasures.

**144.8(2) Reserve the right.** The department reserves the right to require removal or modification of a system in a particular location, as deemed appropriate.



**761—144.9(307) Appeal process.** A local jurisdiction may appeal a decision made by the department as part of this chapter by submitting a written explanation of the issue and any supporting information to the director of transportation. Once the director receives the appeal, the director shall have 30 days to respond. The director's decision is final agency action.

These rules are intended to implement Iowa Code chapter 318 and sections 306.4, 307.12, 321.348 and 321.366.