



ARIZONA STATE SENATE
Forty-ninth Legislature, First Regular Session

PROGRAM PRESENTATION
Photo Enforcement

Background

Photo enforcement systems utilize digital cameras, computers and radar sensors to detect violations of speed limit and red light laws. There are two types of photo enforcement systems, fixed and mobile. A fixed photo enforcement system can be installed on the side of a road or mounted overhead in gantries, while a mobile photo enforcement system is mounted in a van or tethered to a vehicle. Photo enforcement typically utilizes two cameras to identify the vehicle and driver involved in speeding or red light violations. One camera is utilized to produce an image of the oncoming driver's face while the other camera is used to identify the vehicle's rear license plate.

Laws 2008, Chapter 286, establishes a statewide photo enforcement program to be managed by the Department of Public Safety (DPS). Under this measure, which applies retroactively to July 1, 2008, DPS is required to enter into a contract with a private vendor or vendors to establish a "state photo enforcement system." The cameras are to be placed throughout the state at locations to be determined by the Director of DPS in order to detect violations of speed limit. According to DPS, a total of 100 cameras are planned to be used in the state. To date, DPS has deployed 42 mobile speed enforcement vehicles to be used on highways throughout Arizona. Additionally, DPS has 34 fixed photo enforcement camera locations. DPS has multiple criteria for placing photo enforcement cameras along the freeway, including a focus on construction zones, freeway transition areas where two or more freeways merge and areas with high collision rates. If a person is found responsible for a civil traffic violation witnessed by the state photo enforcement system, the measure prohibits the Arizona Department of Transportation (ADOT) from considering the violation for the purpose of determining whether the person's driver license should be suspended or revoked. Furthermore, the courts are prohibited from transmitting abstracts of records for these violations to ADOT.

Fiscal Information

Laws 2008, Chapter 286, mandates that the civil penalty or fine for a citation or a notice of violation is \$165 and is not subject to any other surcharge except the ten percent surcharge required for the Citizens' Clean Elections Fund, for a total of \$181.50. The measure creates the Photo Enforcement Fund (Fund) that consists of monies received from paid photo enforcement citations. The Fund is administered by the Director of DPS, and monies in the Fund are to be appropriated in the following manner: 1) an undetermined amount to DPS for administrative and personnel costs relating to the state photo enforcement system; however, in FY 2008-2009, DPS is prohibited from spending more than \$2,173,000 for this purpose; 2) \$4,056,600 in FY 2008-2009 to the Administrative Office of the Courts (AOC) for processing photo enforcement citations; 3) \$20,361,300 in FY 2008-2009 to DPS for contract payments to private vendors for the operation of the photo enforcement cameras and processing of citations; and 4) any monies in

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the Fund in excess of \$250,000 at the end of each calendar quarter must be deposited in the state General Fund. According to the Joint Legislative Budget Committee (JLBC), DPS anticipates allocating the fees from each citation as follows: \$13.48 to DPS; \$25.17 to AOC; \$29.70 to the vendor; and \$96.64 to the General Fund.

Prepared by Senate Research

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