Model Legislation

Public Safety and Elections

Anti-Automated Enforcement Act

Summary

This Act prohibits the use of automated enforcement devices to detect violations of traffic regulations except in specified areas.

Model Bill

Section 1. (Short Title) This act may be cited as the “Anti-Automated Enforcement Act.”

Section 2. To add to (enter appropriate section) of the (enter appropriate state code) to prohibit the use of “automated enforcement” by state or local law enforcement authorities.

A. Automated enforcement devices may not be used by state and local law enforcement authorities to determine compliance with any traffic regulations including, but not limited to, official traffic control signals and speed limit restrictions, imposed by (enter appropriate sections) of this code or a local ordinance in conformity therewith except:

1. a) in school zones;
   b) at railroad crossings;
   or
2. When a law enforcement officer is present with the automated enforcement equipment unit and citations are issued at the general time and place of the infraction.

B. For the purpose of this Act, “automated enforcement,” means a system operated by a state or local authority that uses a machine to automatically detect a violation of a traffic regulation and simultaneously record a photograph of the vehicle used in committing the violation, the operator of the vehicle or the license plate of the vehicle.

Section 3. (Severability Clause)

Section 4. (Repealer Clause)

Section 5. (Effective Date)

Approved by full ALEC Board of Directors September, 2001.

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