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[HF 2681](#) – Automated Traffic Enforcement, Speed Cameras (LSB6358HV.2)  
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Fiscal Note Version – Final Action

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## **Description**

[House File 2681](#) regulates the use of automated or remote systems for traffic law enforcement (ATE system).

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### **Division I — Automated or Remote Systems for Traffic Law Enforcement — Automatic Registration Plate Readers**

“Automated or remote system for traffic law enforcement” is defined in the Bill as a camera or other optical device designed to work in conjunction with a speed measuring device to detect motor vehicles being operated in violation of the speed limit, the use of which results in the issuance of citations sent through the mail or by electronic means.

**Division I** requires local authorities to hold a valid permit from the Iowa Department of Transportation (DOT) before using an ATE system. The DOT is required to adopt administrative rules for the ATE systems. The DOT is authorized to determine whether an ATE system is appropriate and necessary and the least restrictive means to address the traffic safety issues at a location. The Bill establishes requirements that must be included in an application for a permit. A local authority is only authorized to use an ATE system to issue citations for traffic violations exceeding the speed limit by greater than 10 miles per hour.

A local authority with a population of 20,000 or less is prohibited from using a mobile ATE system to issue citations but may issue warnings for violations detected by a mobile ATE system.

Data collected by automatic registration plate readers must be deleted within 30 days with exceptions for certain circumstances. A person who violates these automatic registration plate reader requirements commits a simple misdemeanor.

**Division I** of the Bill provides for signage and reporting requirements for ATE systems. The Bill also provides requirements for the installation and maintenance of an ATE system, including the requirement for a monthly calibration of an ATE system. The Bill requires a local authority using an ATE system to provide an annual report by March 1 to the DOT and to post on the local authority’s website detailing the number of traffic collisions and accidents that occurred at each location an ATE system is used, the number of citations issued, and any other relevant information.

Local authorities are required to review and approve a recorded photograph or video of a violation captured by an ATE system before a citation or warning is issued. For excessive speed violations detected by an ATE system, the citation amount must not exceed \$75 for speeds greater than 10 miles and up to 20 miles per hour over the speed limit, \$100 for speeds greater than 20 and up to 25 miles per hour over the speed limit, \$250 for speeds greater than

25 and up to 30 miles per hour over the speed limit, and \$500 for speeds greater than 30 miles per hour over the speed limit. These amounts are doubled if the violation occurs in a road work zone. All violations detected by an ATE system are civil infractions.

**Division I** requires local authorities to use revenue received from the use of an ATE system, minus the costs to install, operate, and maintain the system, to fund transportation infrastructure improvement projects or to offset costs related to the operation of a police or fire department.

**Division II — Existing Systems**

To continue to operate ATE systems that were used prior to January 1, 2024, a local authority is required to submit a list of ATE system locations and justifications for placement and use to the DOT by July 1, 2024. The DOT is required to issue a permit by October 1, 2024, to every local authority that provides valid submissions. A local authority using an ATE system prior to January 1, 2024, may continue to use the ATE system until a permit is received unless it is a mobile ATE system prohibited under the Bill. If a local authority has not been issued a permit by October 1, 2024, the local authority must cease using all ATE systems until the local authority obtains a permit. A local authority using an ATE system at a location for the first time on or after January 1, 2024, shall not be issued a permit by the DOT before July 1, 2026. **Division II** of the Bill takes effect upon enactment.

**Background**

As of January 2024, the Legislative Services Agency (LSA) is aware of 25 cities and towns in Iowa that operate an ATE system or systems, including Sioux City, Cedar Rapids, Davenport, Muscatine, Fort Dodge, Council Bluffs, Des Moines, Waterloo, Fayette, West Union, LeClaire, Strawberry Point, Hazleton, Hudson, Chester, Buffalo, Bellevue, Miles, Independence, Oelwein, Prairie City, Webster City, Marshalltown, Marion, and Postville. Data is not available at this time regarding the use of ATE systems in additional cities or towns. As of January 15, 2024, the LSA obtained data from Cedar Rapids, Council Bluffs, Davenport, Des Moines, LeClaire, Muscatine, Waterloo, Buffalo, Fayette, and Marshalltown regarding their current ATE systems. Sioux City recently changed its ATE system provider and does not have accurate data for a full year.

Of the 25 cities and towns that currently operate an ATE system, 15 have populations of less than 20,000; however, the number of cities and towns that operate mobile ATEs is unknown.

**Figure 1** provides data obtained by the LSA related to the number of ATE devices, base cost per violation, vendors’ share of revenues, and local authorities’ share of revenues for the last full fiscal year. **Figure 2** shows each city’s use of ATE system revenue.

**Figure 1 — Data Provided for Fiscal Year 2023**

Local Authority	Number of Mobile ATEs	Total Number of Operating ATEs	Number of Violations Issued	Number of Violations Collected	Base Fine Per Violation	Vendor Revenue	Local Authority Revenue
Buffalo	1	3	10,006	9,359	\$ 75	\$ 145,125	\$ 362,813
Cedar Rapids	2	19	169,696	94,037	75	1,834,563	7,207,857
Council Bluffs	0	15	20,299	12,557	100	489,416	849,453
Davenport	4	18	43,452	20,314	65	440,601	1,420,540
Des Moines	3	13	125,768	84,991	65	1,929,663	3,594,696
Fayette	0	2	5,315	4,074	100	138,878	324,049
LeClaire	1	5	62,229	50,533	50	1,664,130	1,703,438
Marshalltown	0	3	5,966	2,952	100	100,000	195,050
Muscatine	1	9	11,577	8,516	75	215,514	510,840
Waterloo	2	25	53,054	26,117	36	942,296	1,166,746

\*Lowest violation amount. Actual violation may increase depending on miles per hour over the legal speed limit.

Source: Local Authorities

**Figure 2 — Local Uses for ATE System Revenue**

<b>Local Authority</b>	<b>Uses</b>
Buffalo	Public safety expenses
Cedar Rapids	General fund
Council Bluffs	General fund
Davenport	General fund
Des Moines	Des Moines Public Safety Radio System and Iowa Statewide Interoperable Communications System
Fayette	General fund
LeClaire	General fund
Marshalltown	General fund
Muscatine	Police department for personnel costs
Waterloo	General fund: Police department for equipment
Source: As reported by local authorities	

A simple misdemeanor is punishable by confinement for no more than 30 days and a fine of at least \$105 but not more than \$855.

**Assumptions**

- The number of cities and towns that currently operate ATE systems is unknown.
- It is unknown how many local authorities with ATE systems that were used prior to January 1, 2024, will receive a permit from the DOT by October 1, 2024, for continued use of their ATE systems.
- Local jurisdictions may be required to reduce the amount charged for a single citation for speeding violations as provided in the Bill.
- For cities with a population of less than 20,000, the local authority revenue collected annually by mobile ATEs is in proportion to the number of mobile ATEs the local authority has as a percentage of that total number of operating ATEs. Revenue to the cities of Buffalo and LeClaire will be reduced by 33.0% and 20.0%, respectively, due to the removal of mobile ATE systems.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

**Correctional Impact**

House File 2681 creates a new simple misdemeanor, and the correctional impact cannot be estimated for the Bill due to a lack of existing conviction data. A conviction for a simple misdemeanor does not result in a prison sentence but does carry the possibility of confinement in jail for up to 30 days. Refer to the LSA memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

**Minority Impact**

House File 2681 creates a new offense. As a result, the Criminal and Juvenile Justice Planning (CJJP) of the Department of Management cannot use existing data to estimate the minority impact of the Bill. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

**Fiscal Impact**

House File 2681 is estimated to reduce local revenue by \$121,000 to the city of Buffalo and \$341,000 to the city of LeClaire due to the loss of the mobile ATE system. However, the full fiscal impact of the Bill across all localities cannot be estimated.

**Sources**

Department of Transportation

Local authorities

Legislative Services Agency calculations

/s/ Jennifer Acton

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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