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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2973

03/12/2014 Authored by Hausman and Hornstein
The bill was read for the first time and referred to the Committee on Transportation Policy

1.1 A bill for an act
1.2 relating to public safety; traffic regulations; authorizing local authorities to
1.3 regulate traffic at intersections using traffic safety cameras; requiring signage;
1.4 establishing criminal penalties and fines; amending Minnesota Statutes 2012,
1.5 sections 169.011, by adding a subdivision; 169.04; proposing coding for new
1.6 law in Minnesota Statutes, chapter 169.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2012, section 169.011, is amended by adding a
1.9 subdivision to read:

1.10 Subd. 85a. Traffic safety camera. "Traffic safety camera" means a remotely
1.11 operated recording device capable of recording clear images of both vehicle movement at
1.12 an intersection and the driver of the vehicle.

1.13 Sec. 2. Minnesota Statutes 2012, section 169.04, is amended to read:

1.14 **169.04 LOCAL AUTHORITY.**

1.15 (a) The provisions of this chapter shall not be deemed to prevent local authorities,
1.16 with respect to streets and highways under their jurisdiction, and with the consent of
1.17 the commissioner, with respect to state trunk highways, within the corporate limits of a
1.18 municipality, or within the limits of a town in a county in this state now having or which
1.19 may hereafter have, a population of 500,000 or more, and a land area of not more than 600
1.20 square miles, and within the reasonable exercise of the police power from:

- 1.21 (1) regulating the standing or parking of vehicles;
- 1.22 (2) regulating traffic by means of police officers or traffic-control signals, or traffic
1.23 safety cameras;
- 1.24 (3) regulating or prohibiting processions or assemblages on the highways;

2.1 (4) designating particular highways as one-way roadways and requiring that all
 2.2 vehicles, except emergency vehicles, when on an emergency run, thereon be moved in one
 2.3 specific direction;

2.4 (5) designating any highway as a through highway and requiring that all vehicles stop
 2.5 before entering or crossing the same, or designating any intersection as a stop intersection,
 2.6 and requiring all vehicles to stop at one or more entrances to such intersections;

2.7 (6) restricting the use of highways as authorized in sections 169.80 to 169.88.

2.8 (b) No ordinance or regulation enacted under paragraph (a), clause (4), (5), or (6),
 2.9 shall be effective until signs giving notice of such local traffic regulations are posted
 2.10 upon and kept posted upon or at the entrance to the highway or part thereof affected as
 2.11 may be most appropriate.

2.12 (c) No ordinance or regulation enacted under paragraph (a), clause (3), or any other
 2.13 provision of law shall prohibit:

2.14 (1) the use of motorcycles or vehicles utilizing flashing red lights for the purpose of
 2.15 escorting funeral processions, oversize buildings, heavy equipment, parades or similar
 2.16 processions or assemblages on the highways; or

2.17 (2) the use of motorcycles or vehicles that are owned by the funeral home and that
 2.18 utilize flashing red lights for the purpose of escorting funeral processions.

2.19 **Sec. 3. [169.061] VIOLATION DETECTED BY TRAFFIC SAFETY CAMERA.**

2.20 **Subdivision 1. Violation detected by traffic safety camera.** (a) Any fine or penalty
 2.21 imposed for operating a motor vehicle in violation of an ordinance or other local law
 2.22 enacted to enforce the provisions of section 169.06, subdivision 5, and detected through
 2.23 the use of a traffic safety camera is a petty misdemeanor.

2.24 (b) Citations issued for operating a motor vehicle in violation of an ordinance or other
 2.25 local law enacted to enforce the provisions of section 169.06, subdivision 5, and detected
 2.26 through the use of a traffic safety camera may be issued through the United States mail.

2.27 **Subd. 2. Signage requirement.** Any government entity that regulates traffic by
 2.28 means of traffic safety cameras must post signage notifying drivers that traffic safety
 2.29 cameras are in place. The signs must be placed within 500 feet of each intersection where
 2.30 traffic safety cameras are in place. Signs need only be placed at approaches to intersections
 2.31 regulated by a traffic safety camera. All signage required by this subdivision must be placed
 2.32 and maintained in conformity with the requirements of section 169.06, subdivision 3.

2.33 **Subd. 3. Data.** (a) All data collected through the operation of traffic safety cameras
 2.34 is private data on individuals under section 13.02, with the exception of summary data
 2.35 under section 13.02, subdivision 19.

3.1 (b) All private data on individuals collected through the operation of traffic safety
3.2 cameras may be retained by a government entity utilizing traffic safety cameras to regulate
3.3 traffic for a maximum of 30 days after the final adjudication of the underlying alleged
3.4 violation and all appeals.

3.5 (c) A contract with a private entity to operate traffic safety cameras must comply
3.6 with section 13.05, subdivision 11.

3.7 (d) A contract with a private entity to operate traffic safety cameras shall state the
3.8 private entity may retain private data on individuals collected through the operation
3.9 of traffic safety cameras for a maximum of 30 days after being notified of the final
3.10 adjudication of the underlying alleged violation and all appeals by the government entity
3.11 utilizing the traffic safety cameras to regulate traffic, or for 180 days from the date the
3.12 underlying alleged violation occurred, whichever is shorter.

3.13 Subd. 4. **Fines.** Any fine or penalty imposed by a local authority for operating a motor
3.14 vehicle in violation of an ordinance or other local law enacted to enforce the provisions of
3.15 section 169.06, subdivision 5, and detected through the use of a traffic safety camera shall
3.16 be credited to the general revenue fund of the local authority where the violation occurred.

3.17 Sec. 4. **EFFECTIVE DATE.**

3.18 Sections 1 to 3 are effective the day following final enactment.