

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

CHAPTER 75
HOUSE BILL 2477

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARTICLE 21, ARIZONA REVISED STATUTES, BY ADDING
SECTION 28-1206; RELATING TO PHOTO ENFORCEMENT SYSTEMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 28, chapter 3, article 21, Arizona Revised Statutes,
3 is amended by adding section 28-1206, to read:

4 28-1206. Photo enforcement systems: state highways: cities and
5 towns

6 A. A CITY OR TOWN MAY NOT PLACE A PHOTO ENFORCEMENT SYSTEM ON A STATE
7 HIGHWAY IN THIS STATE UNLESS THE CITY OR TOWN PROVIDES PROOF TO THE
8 DEPARTMENT, IN A MANNER TO BE DETERMINED BY THE DEPARTMENT, THAT THE PHOTO
9 ENFORCEMENT SYSTEM IS NECESSARY FOR THE PUBLIC SAFETY OF THIS STATE AND GETS
10 A PERMIT OR ENTERS INTO A CONTRACT WITH THE DEPARTMENT FOR USE OF A
11 RIGHT-OF-WAY.

12 B. THE DEPARTMENT SHALL PUBLISH ON ITS WEBSITE THE SPECIFIC
13 INFORMATION IT NEEDS TO DETERMINE IF THE PHOTO ENFORCEMENT SYSTEM DESCRIBED
14 IN SUBSECTION A OF THIS SECTION IS NECESSARY FOR THE PUBLIC SAFETY OF THIS
15 STATE. THE INFORMATION SHALL INCLUDE BOTH OF THE FOLLOWING:

16 1. CURRENT OPERATIONAL SPEED STUDIES, INCLUDING THE AVERAGE NUMBER OF
17 VEHICLES OPERATING PER DAY ON THE SECTION OF STATE HIGHWAY THAT IS SUBJECT TO
18 THE PROPOSED PHOTO ENFORCEMENT SYSTEM AND THE PERCENTAGE OF VEHICLES PER DAY
19 THAT VIOLATE ARTICLE 6 OF THIS CHAPTER.

20 2. REPORTS OF MOTOR VEHICLE ACCIDENTS ON THE SECTION OF STATE HIGHWAY
21 THAT IS SUBJECT TO THE PROPOSED PHOTO ENFORCEMENT SYSTEM.

22 C. THE TERM OF A PERMIT ISSUED OR CONTRACT GRANTED BY THE DEPARTMENT
23 PURSUANT TO SUBSECTION A OF THIS SECTION MAY NOT EXCEED A PERIOD OF THREE
24 YEARS.

25 D. BEFORE THE RENEWAL OF A PERMIT OR CONTRACT PRESCRIBED BY SUBSECTION
26 A OF THIS SECTION, THE CITY OR TOWN MUST SUBMIT INFORMATION TO THE DEPARTMENT
27 TO SHOW THE IMPACT OF THE PHOTO ENFORCEMENT SYSTEM. THE DEPARTMENT MUST
28 REVIEW THE INFORMATION AND COMPARE IT TO THE INFORMATION THE DEPARTMENT
29 RECEIVES PURSUANT TO SUBSECTION B OF THIS SECTION. THE DEPARTMENT MAY
30 PREVENT A RENEWAL IF THE DEPARTMENT DETERMINES THAT THE PHOTO ENFORCEMENT
31 SYSTEM DOES NOT MAINTAIN A POSITIVE IMPACT ON PUBLIC SAFETY.

32 E. THIS SECTION DOES NOT APPLY TO A PHOTO ENFORCEMENT SYSTEM THAT
33 EXISTS ON STATE HIGHWAYS IN THIS STATE ON THE EFFECTIVE DATE OF THIS ACT
34 EXCEPT THAT WHEN THE PERMIT OR CONTRACT FOR THE PHOTO ENFORCEMENT SYSTEM
35 EXPIRES OR IS RENEWED, THIS SECTION APPLIES.

APPROVED BY THE GOVERNOR APRIL 10, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 10, 2013.