

1 varying rates, or other innovative practices that accomplish the goals set forth  
2 in this section.

3 \* \* \* Public Transportation Electrification Plan \* \* \*

4 Sec. 12. PUBLIC TRANSPORTATION ELECTRIFICATION PLAN

5 (a) The Agency of Transportation, in consultation with the State’s public  
6 transit providers, shall prepare a long-range plan that outlines the costs,  
7 timeline, training, maintenance, and operational actions required to move to a  
8 fully electrified public transportation fleet.

9 (b) The Agency shall file the long-range plan required under subsection (a)  
10 of this section with the House and Senate Committees on Transportation not  
11 later than January 31, 2022.

12 \* \* \* Automated Traffic Law Enforcement System in Work Zones Pilot \* \* \*

13 Sec. 13. DEFINITIONS

14 As used in Secs. 13–16 of this act:

15 (1) “Agency” means an agency of State government that is authorized to  
16 issue citations for a violation of State motor vehicle laws or rules.

17 (2) “Automated traffic law enforcement system” means a device with  
18 one or more sensors working in conjunction with a speed measuring device to  
19 produce recorded images of motor vehicles traveling at more than 10 miles  
20 above the speed limit.

1           (3) “Automated traffic law enforcement system pilot” or “pilot” means  
2           a pilot program during which automated traffic law enforcement systems are  
3           used to issue warnings for motor vehicles that are in violation of a traffic  
4           control device.

5           (4) “Owner” means the registered owner of a motor vehicle or a lessee  
6           of a motor vehicle under a lease of one year or more.

7           (5) “Recorded image” means a photograph, microphotograph, electronic  
8           image, or electronic video that shows the front or rear of the motor vehicle  
9           clearly enough to identify the registration number plate of the motor vehicle.

10           (6) “Traffic control device” means any sign, signal, marking,  
11           channelizing, or other device that conforms with the Manual on Uniform  
12           Traffic Control Devices, which is the standards for all traffic control signs,  
13           signals, and markings within the State pursuant to 23 V.S.A. § 1025, and is  
14           used to regulate, warn, or guide traffic and placed on, over, or adjacent to a  
15           highway, pedestrian facility, or bicycle path by authority of the State or the  
16           municipality with jurisdiction over the highway, pedestrian facility, or bicycle  
17           path.

18           Sec. 14. FINDINGS

19           The General Assembly finds that:

1           (1) There are times, either because of insufficient staffing or inherent  
2           on-site difficulties, where law enforcement personnel cannot practically be  
3           utilized in a work zone.

4           (2) The objectives of utilizing an automated traffic law enforcement  
5           system in a work zone are improved work crew safety and reduced traffic  
6           crashes resulting from an increased adherence to traffic laws achieved by  
7           effective deterrence of potential violators, which could not be achieved by  
8           traditional law enforcement methods.

9           (3) The use of automated traffic law enforcement systems in work zones  
10          is not intended to replace traditional law enforcement personnel, nor is it  
11          intended to mitigate problems caused by deficient road design, construction, or  
12          maintenance. Rather, it provides deterrence and enforcement at times when  
13          and in locations where law enforcement personnel cannot be utilized safely or  
14          are needed for other law enforcement activities.

15          (4) An integral part of an automated traffic law enforcement pilot is a  
16          community-wide informational campaign directed toward the traveling public.

17          (5) The goal of an automated traffic law enforcement pilot is to reduce  
18          crashes in work zones by deterring traffic violations.

19          (6) The issuance of traffic violation complaints and generation of  
20          revenue are not the goals of an automated traffic law enforcement system pilot.

1       Sec. 15. AUTOMATED TRAFFIC LAW ENFORCEMENT SYSTEM

2                   PILOT

3           (a) Design and implementation.

4                   (1) The Agency of Transportation, in consultation with the Department  
5 of Public Safety, shall design and implement a one-year automated traffic law  
6 enforcement system pilot.

7                   (2) The pilot shall be preceded by and not commence until after the  
8 Agency of Transportation engages in the necessary planning and contractor  
9 procurement and conducts a comprehensive public outreach and informational  
10 campaign.

11                   (3) The Agency of Transportation may retain one or more contractors to  
12 assist in the implementation of the pilot. However, compensation paid to these  
13 contractors shall be based on the value of the equipment or the services  
14 provided and not the number of warnings issued.

15           (b) Public outreach.

16                   (1) The public outreach and informational campaign shall continue  
17 throughout the one-year automated traffic law enforcement system pilot.

18                   (2) Any agencies utilizing an automated traffic law enforcement system  
19 shall maintain a website that lists the locations where automated traffic law  
20 enforcement systems are utilized.

1        (c) Location. An automated traffic law enforcement system may only be  
2        utilized at a location in the vicinity of a work zone and if the agency with  
3        jurisdiction over the location determines, in its sole discretion, that it is  
4        impractical or unsafe to utilize traditional law enforcement, or that the use of  
5        traditional law enforcement personnel has failed to deter violators, provided  
6        that:

7            (1) the agency confirms, through a traffic engineering analysis of the  
8            proposed location, that the location meets highway safety standards;

9            (2) the automated traffic law system is not used as a means of combating  
10          deficiencies in roadway design or environment;

11          (3) signs notifying members of the traveling public of the use of an  
12          automated traffic law enforcement system are in place before any warnings are  
13          issued based on recorded images collected by the automated traffic law  
14          enforcement system; and

15          (4) the automated traffic law enforcement system is only in operation  
16          when workers are present in the work zone.

17        (d) Warnings.

18            (1) If an automated traffic law enforcement system collects a recorded  
19            image of a motor vehicle in violation of a traffic control device, the agency  
20            with jurisdiction over the location where the automated traffic law enforcement

1 system is utilized shall mail to the owner of the motor vehicle in the recorded  
2 image a warning that includes:

3 (A) the name and address of the registered owner of the motor  
4 vehicle in the recorded image;

5 (B) the issuing jurisdiction and registration number of the motor  
6 vehicle in the recorded image;

7 (C) a copy of the recorded image;

8 (D) the location of the automated law enforcement system that  
9 collected the recorded image;

10 (E) the date and time of the recorded image;

11 (F) a signed statement by an employee of the agency that, based on  
12 inspection of recorded images, the motor vehicle was being operated in  
13 violation of a traffic control device; and

14 (G) a statement that recorded images may be used as evidence of a  
15 violation of a traffic control device.

16 (2) A warning issued under this section shall be mailed not later than  
17 14 days after the date of the recorded image if the motor vehicle is registered in  
18 Vermont and not later than 30 days after the date of the recorded image if the  
19 motor vehicle is registered in a jurisdiction outside of Vermont.

20 Notwithstanding 23 V.S.A. § 114, the Department of Motor Vehicles shall  
21 provide registration information to agencies and any of the Agency of

1 Transportation’s contractors retained pursuant to subdivision (a)(3) of this  
2 section free of charge and pursuant to 23 V.S.A. § 104 and 18 U.S.C.  
3 § 2721(b)(1) for purposes of mailing a warning pursuant to this subsection.

4 (e) Limitations on the usage of recorded images.

5 (1) The automated traffic enforcement system shall only be used to  
6 collect recorded images of violations of a traffic control device and may not be  
7 used for any other surveillance purposes. The restrictions provided in this  
8 subsection shall not preclude a court of competent jurisdiction from ordering  
9 the release of recorded images and any corresponding data to law enforcement  
10 officials, provided that the information is requested solely in connection with a  
11 criminal prosecution.

12 (2) Recorded images and any corresponding data collected by an  
13 automated traffic enforcement system are exempt from public inspection and  
14 copying under the Public Records Act and shall be kept confidential except to  
15 the extent necessary to comply with this section.

16 (3) Recorded images and any corresponding data collected by an  
17 automated traffic enforcement system shall be destroyed within one year of  
18 recording, except that recorded images and any corresponding data collected  
19 by an automated traffic enforcement system that is subject to a court order  
20 under subdivision (1) of this subsection shall be destroyed within two years  
21 after the date of the court order, unless further extended by court order.

1       Sec. 16. REPORTING

2           (a) To the Agency of Transportation by agencies with jurisdiction over a  
3       location where an automated traffic law enforcement system is utilized. Not  
4       later than two months after the conclusion of the first six months of the  
5       automated traffic law enforcement system pilot and not later than two months  
6       after the conclusion of the last six months of the pilot, the agencies with  
7       jurisdiction over a location where an automated traffic law enforcement system  
8       was utilized shall report the following for each location where an automated  
9       traffic law enforcement system was utilized to the Agency of Transportation:

10           (1) the number of crashes and related serious injuries and fatalities;

11           (2) recorded speed data; and

12           (3) the number of warnings issued.

13           (b) To the General Assembly by the Agency of Transportation.

14           (1) Not later than four months after the conclusion of the automated  
15       traffic law enforcement system pilot, the Agency of Transportation shall  
16       submit a written report on the use of automated traffic law enforcement  
17       systems in work zones in Vermont to the House and Senate Committees on  
18       Transportation and to the Joint Transportation Oversight Committee if the  
19       General Assembly is not in session.



1           (2) The report shall include the following for each location where an  
2           automated traffic law enforcement system was utilized as part of the automated  
3           traffic law enforcement:

4                   (A) the number of crashes and related serious injuries and fatalities;

5                   (B) recorded speed data; and

6                   (C) the number of warnings issued.

7           (3) The report shall also include the amount paid under each contract  
8           that the Agency of Transportation enters into under Sec. 15(a)(3) of this act.

9                                   \* \* \* Effective Date \* \* \*

10           Sec. 17. EFFECTIVE DATE

11           This act shall take effect on July 1, 2021.