

S.155

Introduced by Senators Gulick, Brock, Chittenden, Hardy, Lyons, Major,  
Plunkett, Weeks and White

Referred to Committee on

Date:

Subject: Motor vehicles; traffic enforcement; traffic violations; moving  
violations; automated law enforcement; traffic cameras; automated  
license plate recognition systems; automated traffic law enforcement  
systems

Statement of purpose of bill as introduced: This bill proposes to authorize  
municipal law enforcement agencies to utilize automated traffic law  
enforcement in municipal work zones and at locations with an increased  
incidence of crashes or speeding, or both until July 1, 2027.

An act relating to the use of automated traffic law enforcement (ATLE)  
systems by municipalities

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. PURPOSE

The purpose of this act is to improve municipal work crew safety and  
reduce traffic crashes by enabling municipal law enforcement agencies to

1 participate in the automated traffic law enforcement (ATLE) pilot program  
2 established by 2024 Acts and Resolves No. 135.

3 Sec. 2. 23 V.S.A. § 1606 is amended to read:

4 § 1606. AUTOMATED TRAFFIC LAW ENFORCEMENT SYSTEMS;  
5 SPEEDING

6 (a) Use. Deployment of ATLE systems on behalf of the Agency of  
7 Transportation or a municipal law enforcement agency by a third party  
8 pursuant to subsection (b) of this section is intended to investigate the benefits  
9 of automated law enforcement for speeding violations as a way to improve  
10 work crew safety and reduce traffic crashes resulting from an increased  
11 adherence to traffic laws achieved by effective deterrence of potential  
12 violators, which could not be achieved by traditional law enforcement methods  
13 or traffic calming measures, or both. Deployment of ATLE systems on behalf  
14 of the Agency and municipal law enforcement agencies is not intended to  
15 replace law enforcement personnel, nor is it intended to mitigate problems  
16 caused by deficient road design, construction, or maintenance.

17 (b) Vendor.

18 \* \* \*

19 (2) A municipal law enforcement agency may enter into a contract with  
20 a third party for the operation and deployment of ATLE systems on behalf of  
21 the municipal law enforcement agency.

1           (3) The Agency or a municipal law enforcement agency, in consultation  
2           with the Department of Public Safety, may require the vendor to maintain a  
3           storage system to store any recorded images or other data collected by the  
4           ATLE system. Any storage system shall adhere to the use, retention, and  
5           limitation requirements pursuant to this section.

6           (c) Locations. An ATLE system may only be utilized:

7           (1) at a location in the vicinity of a work zone that is located on either a  
8           limited-access highway under the jurisdiction of the Agency of Transportation  
9           and that is selected by the Agency or on a highway within the jurisdiction of a  
10          municipal law enforcement agency that is selected by the law enforcement  
11          agency, provided that:

12          ~~(1)(A)~~(i) for a location selected by the Agency of Transportation, the  
13          Agency shall document through an appropriate engineering analysis that the  
14          location meets highway standards; or

15          (ii) for a location selected by a municipal law enforcement agency,  
16          the municipal law enforcement agency shall confirm through an appropriate  
17          engineering analysis that the location meets highway standards;

18          ~~(2)(B)~~ the ATLE system is not used as a means of combating  
19          deficiencies in roadway design or environment;

1           ~~(3)~~(C) at least two signs notifying members of the traveling public of the  
2           use of an ATLE system are in place before any recorded images or other data  
3           is collected by the ATLE system;

4           ~~(4)~~(D) there is a sign at the end of the work zone;

5           ~~(5)~~(E) the ATLE system is only in operation when workers are present  
6           in the work zone and at least one of the signs required under subdivision (3) of  
7           this subsection (c) indicates whether the ATLE system is currently in  
8           operation; and

9           ~~(6)~~(F) there is notice of the use of the ATLE system on the Agency's  
10          website or, for a municipal work zone, on the Agency's and municipality's  
11          websites, including the location and typical hours when workers are present  
12          and the ATLE system is in operation; and

13          (2) at additional locations with a high incidence of crashes or speeding,  
14          or both, if the municipal law enforcement agency with jurisdiction over the  
15          location determines, in its sole discretion, that it may be impractical or unsafe  
16          to utilize traditional law enforcement methods or that the use of traditional law  
17          enforcement personnel has failed to deter violators, provided that:

18                 (A) the municipal law enforcement agency confirms, through a traffic  
19                 engineering analysis of the proposed location, that the location meets highway  
20                 safety standards;

\* \* \*

(2) The daily log shall be retained for not fewer than three years by the Agency or the municipal law enforcement agency, as appropriate, and be admissible in any proceeding for a violation involving ATLE systems deployed on behalf of the Agency or the municipal law enforcement agency.

(e) Annual calibration. All ATLE systems shall undergo an annual calibration check performed by an independent calibration laboratory. The calibration laboratory shall issue a signed certificate of calibration after the annual calibration check, which shall be retained for not fewer than three years by the Agency or the municipal law enforcement agency, as appropriate, and be admissible in any proceeding for a violation involving the ATLE system.

\* \* \*

1 (k) Review process and annual report.

2 (1) The Agency of Transportation, in consultation with the Department  
3 of Public Safety, shall establish a review process to ensure that recorded  
4 images are used only for the purposes permitted by this section. The Agency  
5 of Transportation shall report the results of this review annually on or before  
6 January 15 to the Senate and House Committees on Judiciary and on  
7 Transportation. The report shall contain the following information based on  
8 prior calendar year data:

9 (A) the total number of ATLE systems units being operated in the  
10 State on behalf of the Agency ~~in the State~~ and on behalf of municipal law  
11 enforcement agencies;

12 (B) the terms of any contracts entered into with any vendors for the  
13 deployment of ATLE on behalf of the Agency or on behalf of municipal law  
14 enforcement agencies;

15 (C) all of the locations where an ATLE system was deployed along  
16 with the dates and hours that the ATLE system was in operation;

17 (D) the number of violations issued based on recorded images and  
18 the outcomes of those violations by category, including first, second, and third  
19 and subsequent violations and contested violations;

