- 1 HB437
- 2 145694-3
- 3 By Representative Holmes (N & P)
- 4 RFD: Montgomery County Legislation
- 5 First Read: 20-MAR-13

Τ	<u>ENGROSSED</u>
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	Relating to the City of Montgomery, Alabama, to
9	amend Act 2009-740, 2009 Regular Session (Acts 2009, p. 2208);
10	to require the City of Montgomery to post a sign at each place
11	where a photographic traffic signal enforcement system is
12	located.
13	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
14	Section 1. Section 4 of Act 2009-740, 2009 Regular
15	Session (Acts 2009, p. 2208), is amended to read as follows:
16	"Section 4. (a) The City of Montgomery is empowered
17	to utilize an automated photographic traffic signal
18	enforcement system to detect and record traffic signal
19	violations, to issue notices of civil violations by mail, and
20	to prosecute civil violations for the recorded traffic signal
21	violations which may occur within the corporate limits of the
22	City of Montgomery as provided in this act. A civil fine
23	assessed under this act shall not exceed one hundred dollars
24	(\$100), and municipal court costs may be assessed in the same
25	manner and in the same amounts prescribed for a municipal
26	criminal traffic-control device violation prosecuted as a
27	misdemeanor under Sections 32-5A-31, 32-5A-32, 32-5A-35, or

any combination thereof. An additional fee of ten dollars (\$10) shall be added to the Montgomery Municipal Court costs authorized to be collected in connection with notices issued under this act. Court costs collected pursuant to this act shall be distributed in the same manner as prescribed by law for the distribution of municipal court costs for misdemeanor violations. The additional ten dollars (\$10) authorized by this act shall be paid to the Alabama Criminal Justice Information Center as compensation for recordkeeping with respect to violation notices issued under this act. Ordinance No. 10-2007 adopted by the City of Montgomery is hereby ratified and validated ab initio.

"(b) The City of Montgomery shall cause a sign to be posted at each roadway entry point to the city to provide motorists with notice that photographic traffic signal enforcement systems are in use. In addition, the City of Montgomery shall cause a sign to be posted at each intersection where photographic traffic signal enforcement systems are in use. The sign will comply with this requirement if it states substantially the following: "AUTOMATED CAMERAS USED IN RED LIGHT ENFORCEMENT," or if it otherwise gives sufficient notice.

"(c) Prior to operating a photographic traffic signal enforcement system, the City of Montgomery shall make a public announcement and conduct a public awareness campaign of the use of a photographic traffic signal enforcement system a minimum of 30 days before using the devices. The City of

Montgomery may place photographic traffic signal enforcement systems at locations without public notice of the specific location, may change locations without public notice, and may install and move as needed decoy devices designed to resemble photographic traffic signal enforcement systems.

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"(d) The city shall post signs warning of the use of an automated red light photographic device within 60 yards of every intersection at which such a device shall be used. Each sign shall be placed at least 10 feet from the edge of the road or street and shall state substantially the following:

"AUTOMATED CAMERAS USED IN RED LIGHT ENFORCEMENT," and shall have reflective light material. The reflective signs shall be placed not lower than six feet and not higher than eight feet."

Section 2. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.

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3	House of Representatives
4 5 6 7	Read for the first time and re- ferred to the House of Representa- tives committee on Montgomery County Legislation
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9 10 11	Read for the second time and placed on the calendar 1 amendment 02-APR-13
12 13	Read for the third time and passed as amended 16-APR-13
14	Yeas 56, Nays 0, Abstains 34
15 16	Jeff Woodard
17 18	Clerk