

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

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Montgomery, Alabama, to
14 amend Act 2009-740, 2009 Regular Session (Acts 2009, p. 2208);
15 to require the City of Montgomery to post a sign at each place
16 where a photographic traffic signal enforcement system is
17 located.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Section 4 of Act 2009-740, 2009 Regular
20 Session (Acts 2009, p. 2208), is amended to read as follows:

21 "Section 4. (a) The City of Montgomery is empowered
22 to utilize an automated photographic traffic signal
23 enforcement system to detect and record traffic signal
24 violations, to issue notices of civil violations by mail, and
25 to prosecute civil violations for the recorded traffic signal
26 violations which may occur within the corporate limits of the
27 City of Montgomery as provided in this act. A civil fine

1 assessed under this act shall not exceed one hundred dollars
2 (\$100), and municipal court costs may be assessed in the same
3 manner and in the same amounts prescribed for a municipal
4 criminal traffic-control device violation prosecuted as a
5 misdemeanor under Sections 32-5A-31, 32-5A-32, 32-5A-35, or
6 any combination thereof. An additional fee of ten dollars
7 (\$10) shall be added to the Montgomery Municipal Court costs
8 authorized to be collected in connection with notices issued
9 under this act. Court costs collected pursuant to this act
10 shall be distributed in the same manner as prescribed by law
11 for the distribution of municipal court costs for misdemeanor
12 violations. The additional ten dollars (\$10) authorized by
13 this act shall be paid to the Alabama Criminal Justice
14 Information Center as compensation for recordkeeping with
15 respect to violation notices issued under this act. Ordinance
16 No. 10-2007 adopted by the City of Montgomery is hereby
17 ratified and validated ab initio.

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

25 "(c) Prior to operating a photographic traffic
26 signal enforcement system, the City of Montgomery shall make a
27 public announcement and conduct a public awareness campaign of

1 the use of a photographic traffic signal enforcement system a
2 minimum of 30 days before using the devices. The City of
3 Montgomery may place photographic traffic signal enforcement
4 systems at locations without public notice of the specific
5 location, may change locations without public notice, and may
6 install and move as needed decoy devices designed to resemble
7 photographic traffic signal enforcement systems.

8 "(d) The city shall post signs warning of the use of
9 an automated red light photographic device within 60 yards of
10 every intersection at which such a device shall be used. Each
11 sign shall be placed at least 10 feet from the edge of the
12 road or street and shall state substantially the following:
13 "AUTOMATED CAMERAS USED IN RED LIGHT ENFORCEMENT," and shall
14 have reflective light material. The reflective signs shall be
15 placed not lower than six feet and not higher than eight
16 feet."

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