

"New Chapter"

Chapter 10.42

AUTHORIZED USE OF AUTOMATED TRAFFIC SAFETY CAMERAS

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10.42.010 Automated Traffic Safety Cameras Authorized.

The use of automated traffic safety cameras to detect a violation of the RCW Sections adopted by reference in WAC 308-330-421 is authorized at intersections where two arterial roadways intersect, or meet, subject to the restrictions specified in state law (RCW 46.63.170).

- A. Law enforcement officers of Pierce County and any other persons commissioned by the Sheriff of Pierce County are authorized to use automated traffic cameras and related automated systems to detect stoplight violations.
- B. The use of automated traffic safety cameras is subject to the following restrictions:
 1. Use of traffic safety cameras is restricted to two arterial intersections;
 2. Automated traffic safety cameras may only take pictures and video images of the vehicle and vehicle license plate and only while an infraction is occurring. Pictures and video images taken by automated traffic safety cameras may not reveal the face of the driver or of the passengers in the vehicle.
 3. Authorization is limited for up to six automated traffic safety cameras unless the Pierce County Council adopts a resolution authorizing additional cameras.

10.42.020 Notice of Infraction.

- A. Whenever any vehicle is photographed by an automatic traffic safety camera, a notice of infraction shall be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter's name and address under this Section.
- B. If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction is issued, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the issuing agency by return mail:
 1. A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

- 1 2. A statement under oath that the business is unable to determine who was driving or
2 renting the vehicle at the time the infraction occurred; or
3 3. In lieu of identifying the vehicle operator, the rental car business may pay the applicable
4 penalty. Timely mailing of this statement to the issuing law enforcement agency relieves
5 a rental car business of any liability under this Chapter for the notice of infraction.
6 C. The law enforcement officer issuing the notice of infraction shall include with it a certificate
7 or facsimile thereof, based upon inspection of photographs, micro-photos, or electronic
8 images produced by an automated traffic safety camera, stating the facts supporting the
9 notice of infraction. This certificate or facsimile is prima facie evidence of the facts
10 contained in it and is admissible in a proceeding charging a violation under this Chapter.
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12 **10.42.030 Signage.**

13 All locations where automated traffic safety cameras are in use will have signs in locations that
14 clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an
15 automated traffic safety camera.
16

17 **10.42.040 Warning Period(s).**

18 All locations where automated traffic safety cameras are located for red light running violations
19 will have a mandatory warning period of at least 30 days prior to any monetary penalty be enforced.
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21 **10.42.050 Monetary Penalties.**

22 A traffic infraction for violation of RCW Sections adopted by reference in WAC 308-330-421 or
23 Chapter 10.42 PCC issued through the use of automated traffic safety camera shall be processed in
24 the same manner as a parking violation, with a comparable monetary penalty in the current dollar
25 amount of any similar violation adjudicated under RCW 46.61.050.
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27 **10.42.060 Compensation for Services.**

28 The compensation paid to the manufacturer or vendor of automated traffic safety camera
29 equipment shall be based only upon the value of the equipment and services provided or rendered in
30 support of the system, and shall not be based upon a portion of the individual fine or civil penalty
31 imposed or the revenue generated by the equipment.
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33 **10.42.070 Authorized for Use of Electronic Signatures.**

34 The Pierce County Sheriff, or designee, is authorized to utilize electronic signatures in accordance
35 with the provisions of RCW 19.34, to facilitate the automated traffic safety camera system.
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