

169.147 TRAFFIC SAFETY CAMERA SYSTEM PILOT PROGRAM.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Camera-based traffic enforcement" means enforcement of traffic control through the use of a red light camera system, speed limits through the use of a speed safety camera system, or both.

(c) "Commissioner" means the commissioner of transportation.

(d) "Commissioners" means the commissioner of transportation as the lead in coordination with the commissioner of public safety.

(e) "Implementing authority" means either:

(1) the commissioners with respect to trunk highways for the work zone pilot program provided under subdivision 17; or

(2) a local authority specified in paragraph (f) that implements the traffic safety camera system pilot program.

(f) "Local authority" means either the city of Minneapolis or the city of Mendota Heights, which are authorized to conduct the pilot program.

(g) "Monitoring site" means a location at which a traffic safety camera system is placed and operated under this section.

(h) "Pilot program" means the traffic safety camera pilot program established in this section.

(i) "Traffic enforcement agent" means a licensed peace officer or an employee of a local authority who is designated as provided in this section.

Subd. 2. **Pilot program establishment.** (a) In conformance with this section, the commissioner of transportation, in coordination with the commissioner of public safety, must establish a traffic safety camera pilot program that provides for education and enforcement of speeding violations, traffic-control signal violations, or both in conjunction with use of traffic safety camera systems.

(b) The authority for camera-based traffic enforcement under the pilot program is limited to August 1, 2025, to July 31, 2029.

(c) Only the following may implement camera-based traffic enforcement under the pilot program:

(1) the commissioners, as provided under paragraph (d);

(2) the city of Minneapolis, as provided under paragraph (e); and

(3) the city of Mendota Heights.

(d) Under the pilot program, the commissioners must, beginning August 1, 2025, commence enforcement of speeding violations in trunk highway work zones as specified under subdivision 17.

(e) The city of Minneapolis is prohibited from implementing the pilot program or camera-based traffic enforcement through or in substantive coordination with the city's police department.

Subd. 3. **Local authority requirements.** Prior to implementation of camera-based traffic enforcement, a local authority must:

- (1) incorporate both camera-based traffic enforcement and additional strategies designed to improve traffic safety in a local traffic safety action plan, transportation plan, or comprehensive plan; and
- (2) review and ensure compliance with the requirements under this section.

Subd. 4. **Traffic safety camera system requirements.** (a) By July 1, 2025, the commissioners must establish traffic safety camera system standards that include:

- (1) recording and data requirements as specified in subdivision 15;
 - (2) requirements for monitoring site signage in conformance with the requirements under subdivision 5, paragraph (b), clause (3);
 - (3) procedures for traffic safety camera system placement in conformance with the requirements under subdivision 6;
 - (4) training and qualification of individuals to inspect and calibrate a traffic safety camera system;
 - (5) procedures for initial calibration of the traffic safety camera system prior to deployment; and
 - (6) requirements for regular traffic safety camera system inspection and maintenance by a qualified individual.
- (b) Prior to establishing the standards under paragraph (a), the commissioners must solicit review and comments and consider any comments received.

(c) An implementing authority must follow the requirements and standards established under this subdivision.

Subd. 5. **Public engagement and notice.** (a) The commissioner and each implementing authority must maintain information on their respective websites that, at a minimum:

- (1) summarizes implementation of traffic safety camera systems under the pilot program;
- (2) provides each camera system impact study performed by the implementing authority under subdivision 6, paragraph (b);
- (3) provides information and procedures for a person to contest a citation under the pilot program; and
- (4) identifies the enforcement locations under the pilot program.

(b) An implementing authority must:

- (1) implement a general public engagement and information campaign prior to commencing camera-based speed enforcement under the pilot program;
- (2) perform public engagement as part of conducting a camera system impact study under subdivision 6, paragraph (b); and
- (3) place conspicuous signage prior to the motorist's arrival at each monitoring site, which must:
 - (i) notify motor vehicle operators of the use of a traffic safety camera system to detect violations; and

(ii) if a speed safety camera is in use, identify the speed limit.

(c) Public engagement under paragraph (b) must include but is not limited to:

(1) outreach to populations that are traditionally underrepresented in public policy or planning processes;

(2) consolidation and analysis of public feedback; and

(3) creation of an engagement summary that identifies public feedback and the resulting impacts on implementation of camera-based traffic enforcement.

Subd. 6. Placement requirements. (a) A local authority with fewer than 10,000 residents may place no more than one traffic safety camera system, whether the camera system is activated or inactive. A local authority with at least 10,000 residents may place no more than one traffic safety camera system per 10,000 residents, whether the camera system is activated or inactive. An implementing authority may move the location of a traffic safety camera system if the placement requirements under this subdivision are met.

(b) An implementing authority may only place a traffic safety camera system in conformance with the results of a camera system impact study. At a minimum, the study must:

(1) include evaluation of crash rates and severity, vehicle speed, equity, and traffic safety treatment alternatives;

(2) identify traffic safety camera system locations; and

(3) explain how the locations comply with the placement requirements under paragraph (d).

(c) An implementing authority may only place a traffic safety camera system:

(1) in a trunk highway work zone; or

(2) at a location that:

(i) is within 2,000 feet of (A) a public or nonpublic school, (B) a school zone established under section 169.14, subdivision 5a, or (C) a public or private postsecondary institution; and

(ii) has an identified traffic safety concern, as indicated by crash or law enforcement data, safety plans, or other documentation.

(d) An implementing authority that places more than one traffic safety camera system must ensure that the cameras are placed in geographically distinct areas and in multiple communities with differing socioeconomic conditions.

(e) An implementing authority may place a traffic safety camera system on a street or highway that is not under its jurisdiction only upon approval by the road authority that has jurisdiction.

Subd. 7. Traffic-control devices. (a) An implementing authority must not adjust the change interval for the steady yellow indication in a traffic-control signal:

(1) for one month prior to beginning to operate a red light camera system at the associated intersection;

or

(2) during the period that the red light camera system is operated at the associated intersection.

(b) The yellow change interval for a traffic-control signal that is subject to paragraph (a) must meet or exceed the standards and guidance specified in the Manual on Uniform Traffic Control Devices adopted under section 169.06, subdivision 1.

(c) An implementing authority that adjusts the yellow change interval for a traffic-control signal at an intersection where a red light camera system is being operated must deactivate the red light camera system and subsequently meet the requirements under paragraph (a).

Subd. 8. Traffic enforcement agents. (a) To meet the requirement established in subdivision 2, paragraph (e), the city of Minneapolis must designate one or more permanent employees of the authority, who is not a licensed peace officer, as a traffic enforcement agent. An employee of a private entity may not be designated as a traffic enforcement agent. A traffic enforcement agent who is not a licensed peace officer has the authority to issue citations under this section only while engaged in job duties and otherwise has none of the other powers and privileges reserved to peace officers.

(b) The city of Mendota Heights must designate a sworn peace officer as a traffic enforcement agent.

(c) An implementing authority must ensure that a traffic enforcement agent is properly trained in the use of equipment and the requirements governing traffic safety camera implementation.

Subd. 9. Citations; warnings. (a) A traffic enforcement agent under the pilot program has the exclusive authority to issue a citation to the owner or lessee of a motor vehicle for (1) a violation under section 169.06, subdivision 10, and (2) a violation under section 169.14, subdivision 13.

(b) A traffic enforcement agent may only issue a citation if:

(1) the violation is committed at least 30 days after the relevant implementing authority has commenced camera-based traffic enforcement;

(2) with respect to speed limits, the speeding violation is at least ten miles per hour in excess of the speed limit; and

(3) a traffic enforcement agent has inspected and verified recorded images provided by the traffic safety camera system.

(c) An implementing authority must provide a warning for a traffic-control signal violation under section 169.06, subdivision 10, or a speeding violation under section 169.14, subdivision 13, for the period from (1) the date when camera-based traffic enforcement is first commenced, to (2) the date when citations are authorized under paragraph (b), clause (1).

(d) Notwithstanding section 169.022, an implementing authority may specify a speed in excess of the speed limit that is higher than the amount specified in paragraph (b), clause (2), at which to proceed with issuance of a citation.

(e) A citation may be issued through the United States mail if postmarked within: (1) 14 days of the violation for a vehicle registered in Minnesota; or (2) 30 days of the violation for a vehicle registered outside of Minnesota. Section 168.346, subdivision 2, applies to a private entity that provides citation mailing services under this section.

Subd. 10. Uniform citation. (a) There must be a uniform traffic safety camera citation issued throughout the state by a traffic enforcement agent for a violation as provided under this section. The uniform traffic safety camera citation is in the form and has the effect of a summons and complaint.

(b) The commissioner of public safety must prescribe the detailed form of the uniform traffic safety camera citation. As appropriate, the citation design must conform with the requirements for a uniform traffic ticket under section 169.99, subdivisions 1 and 1d. The citation design must include:

- (1) a brief overview of the pilot program and implementation of traffic safety camera systems;
- (2) a summary of the circumstances of the citation that includes identification of the motor vehicle involved, the date and time of the violation, and the location where the violation occurred;
- (3) copy of the recorded image or primary images used to identify a violation;
- (4) a notification that the recorded images under clause (3) are evidence of a violation under section 169.06, subdivision 10, or 169.14, subdivision 13;
- (5) a statement signed by the traffic enforcement agent who issued the citation stating that the agent has inspected the recorded images and determined that the violation occurred in the specified motor vehicle;
- (6) a summary of the limitations under sections 169.06, subdivision 11, and 169.14, subdivision 14;
- (7) notification that an owner is ineligible for diversion if the violation was committed by a holder of a class A, B, or C commercial driver's license or commercial driver learner's permit, without regard to whether the violation was committed in a commercial motor vehicle or another vehicle;
- (8) information on the diversion and traffic safety course eligibility and requirements under sections 169.06, subdivision 10, paragraph (b), and 169.14, subdivision 13, paragraph (b);
- (9) the total amount of the fine imposed;
- (10) a notification that the person has the right to contest the citation;
- (11) information on the process and procedures for a person to contest the citation; and
- (12) a statement that payment of the fine constitutes a plea of guilty and failure to appear in court is considered a plea of guilty, as provided under section 169.91.

(c) The commissioner of public safety must make the information required under paragraph (b) available in languages that are commonly spoken in the state and in each area in which a local authority has implemented camera-based traffic enforcement.

Subd. 11. **Traffic safety course.** (a) The commissioners must establish a traffic safety course that provides at least 30 minutes of instruction on speeding, traffic-control signals, and other traffic safety topics. The curriculum must include safety risks associated with speed and speeding in school zones and work zones.

(b) The commissioners must not impose a fee for an individual who is authorized to attend the course under sections 169.06, subdivision 10, and 169.14, subdivision 13.

Subd. 12. **Third-party agreements.** (a) An implementing authority may enter into agreements with a private entity for operations, services, or equipment under this section. Payment under a contract with a private entity must not be based on the number of violations, citations issued, or other similar means.

(b) An implementing authority that enters into a third-party agreement under this subdivision must perform a data practices audit of the private entity to confirm compliance with the requirements under subdivisions 14 to 16 and chapter 13. An audit must be undertaken at least every other year.

Subd. 13. **Use of revenue.** (a) Revenue from citations received by an implementing authority that is attributable to camera-based traffic enforcement must be allocated as follows:

(1) first as necessary to provide for implementation costs, which may include but are not limited to procurement and installation of traffic safety camera systems, traffic safety planning, and public engagement; and

(2) the remainder for traffic safety measures that perform traffic calming.

(b) The amount expended under paragraph (a), clause (2), must supplement and not supplant existing expenditures for traffic safety.

Subd. 14. **Data practices; general requirements.** (a) All data collected by a traffic safety camera system are private data on individuals as defined in section 13.02, subdivision 12, or nonpublic data as defined in section 13.02, subdivision 9, unless the data are public under section 13.82, subdivision 2, 3, or 6, or are criminal investigative data under section 13.82, subdivision 7.

(b) An agreement with a private entity and an implementing authority pursuant to subdivision 12 is subject to section 13.05, subdivisions 6 and 11.

(c) A private entity must use the data gathered under this section only for purposes of camera-based traffic enforcement under the pilot program and must not share or disseminate the data with an entity other than the appropriate implementing authority, except pursuant to a court order. Nothing in this subdivision prevents a private entity from sharing or disseminating summary data, as defined in section 13.02, subdivision 19.

(d) Traffic safety camera system data are not subject to subpoena, discovery, or admission into evidence in any prosecution, civil action, or administrative process that is not taken pursuant to section 169.06, subdivision 10, or 169.14, subdivision 13.

Subd. 15. **Data practices; traffic safety camera system.** A traffic safety camera system:

(1) is limited to collection of the following data:

(i) recorded video or images of the rear license plate of a motor vehicle;

(ii) recorded video or images of motor vehicles and areas surrounding the vehicles to the extent necessary to (A) identify a violation of a traffic-control device, or (B) calculate vehicle speeds;

(iii) date, time, and vehicle location that correlates to the data collected under item (i) or (ii); and

(iv) general traffic data:

(A) collected specifically for purposes of pilot program analysis and evaluation;

(B) that does not include recorded video or images;

(C) in which individuals or unique vehicles are not identified; and

(D) from which an individual or unique vehicle is not ascertainable;

(2) must not record in a manner that makes any individual personally identifiable, including but not limited to the motor vehicle operator or occupants; and

(3) may only record or retain the data specified in clause (1), items (i) to (iii), if the traffic safety camera system identifies an appropriate potential violation for review by a traffic enforcement agent.

Subd. 16. Data practices; destruction of data. (a) Notwithstanding section 138.17, and except as otherwise provided in this subdivision, data collected by a traffic safety camera system must be destroyed within 30 days of the date of collection unless the data are criminal investigative data under section 13.82, subdivision 7, related to a violation of a traffic-control signal or a speed limit.

(b) Upon written request to a law enforcement agency from an individual who is the subject of a pending criminal charge or complaint, along with the case or complaint number and a statement that the data may be used as exculpatory evidence, data otherwise subject to destruction under paragraph (a) must be preserved by the law enforcement agency until the charge or complaint is resolved or dismissed.

(c) Upon written request from a program participant under chapter 5B, data collected by a traffic safety camera system related to the program participant must be destroyed at the time of collection or upon receipt of the request, whichever occurs later, unless the data are active criminal investigative data. The existence of a request submitted under this paragraph is private data on individuals as defined in section 13.02, subdivision 12.

(d) Notwithstanding section 138.17, data collected by a traffic safety camera system must be destroyed within three years of the resolution of a citation issued pursuant to this section.

(e) The destruction requirements under this subdivision do not apply to: (1) general traffic data as provided under subdivision 15, clause (1), item (iv); and (2) data that identifies the number of warnings or citations issued to an individual under this section.

Subd. 17. Work zone pilot project. (a) By August 1, 2025, the commissioners must implement a speed safety camera pilot project that provides for education of speeding violations in conjunction with the development and study of the use of speed safety camera systems.

(b) The commissioners must issue a warning for a violation of section 169.14, subdivision 13, captured by a speed safety camera system and must not impose any fine for a second or subsequent violation.

(c) The warning issued by the commissioners must include easily understandable information on speeding, traffic-control signals, and other safety risks associated with speed and speeding in work zones.

(d) The commissioner must establish an implementation schedule that begins commencement of camera-based traffic enforcement on at least two, but no more than four, trunk highway work zone segments by August 1, 2025. The commissioners may select different trunk highway work zones. The commissioners must conduct the work zone pilot project in geographically diverse areas and must consider traffic patterns, work zone accident rates, historic speed enforcement and citation rates, and other factors to study further deployment of speed camera systems in additional work zones.

(e) By July 1, 2025, the commissioners of transportation and public safety must establish standards, schedules, curricula, and requirements for camera-based traffic enforcement in a trunk highway work zone.

(f) The authority for the work zone pilot project is limited to August 1, 2025, to July 31, 2029.

Subd. 18. Exempt from rulemaking. Rules adopted to implement this section are exempt from rulemaking under chapter 14 and are not subject to exempt rulemaking procedures under section 14.386.

Subd. 19. **Expiration.** This section expires July 31, 2029.

History: *2024 c 127 art 3 s 52*