

113TH CONGRESS
2D SESSION

H. R. 5755

To withhold certain highway funds from a State that uses an automated traffic enforcement system on a Federal-aid highway.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2014

Mr. STOCKMAN (for himself and Mr. BENTIVOLIO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To withhold certain highway funds from a State that uses an automated traffic enforcement system on a Federal-aid highway.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safer American Streets
5 Act”.

1 **SEC. 2. WITHHOLDING OF FUNDS FOR USEAGE OF AUTO-**
2 **MATED TRAFFIC ENFORCEMENT SYSTEMS.**

3 (a) WITHHOLDING OF FUNDS FOR USAGE OF AUTO-
4 MATED TRAFFIC ENFORCEMENT SYSTEMS.—Chapter 1 of
5 title 23, United States Code, is amended by adding after
6 section 156 the following:

7 **“§ 157. Withholding of funds for usage of automated**
8 **traffic enforcement systems**

9 “(a) WITHHOLDING OF FUNDS FOR NONCOMPLI-
10 ANCE.—

11 “(1) FOR FISCAL YEAR 2015 AND THERE-
12 AFTER.—Beginning on October 1, 2015, and every
13 fiscal year thereafter, the Secretary shall withhold
14 10 percent of the amount required to be apportioned
15 to any State under each of sections 104(b)(1),
16 104(b)(3), and 104(b)(4) of this title in which the
17 State or any municipal government therein employs
18 an automated traffic enforcement system on a Fed-
19 eral-aid highway.

20 “(2) REQUIREMENT.—A State meets the re-
21 quirement of this paragraph if the State certifies not
22 later than 90 days before the beginning of each fis-
23 cal year that neither the State nor any municipal
24 government therein employs an automated traffic
25 enforcement system on a Federal-aid highway.

1 “(b) EFFECT OF WITHHOLDING OF FUNDS.—No
 2 funds withheld under this section from apportionment to
 3 any State shall be available for apportionment to that
 4 State.

5 “(c) DEFINITIONS.—For purposes of this section—

6 “(1) AUTOMATED TRAFFIC ENFORCEMENT SYS-
 7 TEM.—The term ‘automated traffic enforcement sys-
 8 tem’ means equipment that takes a film or digital
 9 camera-based photograph which is linked with a sys-
 10 tem that can detect a moving infraction and syn-
 11 chronize the taking of a photograph with the occur-
 12 rence of such an infraction.

13 “(2) MOVING INFRACTION.—The term ‘moving
 14 infraction’ means any violation of State or local traf-
 15 fic law or ordinance committed by the driver of a ve-
 16 hicle while it is in motion.”.

17 (b) CLERICAL AMENDMENT.—The analysis for such
 18 chapter is amended by adding at the end the following:

“157. Withholding of funds for usage of automated traffic enforcement sys-
 tems.”.

19 **SEC. 3. PROHIBITION ON THE USE OF AUTOMATED TRAF-**
 20 **FIC ENFORCEMENT SYSTEMS IN THE DIS-**
 21 **TRICT OF COLUMBIA.**

22 (a) DETECTION OF A MOVING INFRACTION.—The
 23 Mayor of the District of Columbia may not use an auto-

1 mated traffic enforcement system to detect a moving in-
 2 fraction in the District of Columbia.

3 (b) EVIDENCE OF A MOVING INFRACTION.—Informa-
 4 tion obtained through the use of an automated traffic en-
 5 forcement system may not be used as proof in an adminis-
 6 trative adjudication under title II of the Traffic Adjudica-
 7 tion Act of 1978 (sec. 50–2302.01 et seq., D.C. Official
 8 Code).

9 **SEC. 4. CONFORMING AMENDMENT.**

10 Title IX of the Fiscal Year 1997 Budget Support
 11 Temporary Amendment Act of 1996 (sec. 50–2209.01 et
 12 seq., D.C. Official Code) is repealed.

13 **SEC. 5. DEFINITIONS.**

14 In this Act:

15 (1) AUTOMATED TRAFFIC ENFORCEMENT SYS-
 16 TEM.—The term “automated traffic enforcement
 17 system” means equipment that takes a film or dig-
 18 ital camera-based photograph which is linked with a
 19 system that can detect a moving infraction and syn-
 20 chronize the taking of a photograph with the occur-
 21 rence of such an infraction.

22 (2) MOVING INFRACTION.—The term “moving
 23 infraction” means any conduct subject to adminis-
 24 trative adjudication under title II of the Traffic Ad-
 25 judication Act of 1978 and with respect to which the

1 Attorney General of the District of Columbia does
2 not commence a proceeding in the Superior Court of
3 the District of Columbia.

○