

SENATE BILL 361

By Harris

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 4 and Section 55-8-198, relative to the distribution of funds from unmanned traffic enforcement cameras.

WHEREAS, several states, including Arkansas, Maine, Montana, New Hampshire, and West Virginia, have banned the use of red light cameras; and

WHEREAS, each municipality that operates red light cameras in Tennessee remits between 45 percent and 85 percent of fines for violations to private, out-of-state companies that contract to install the cameras; and

WHEREAS, red light cameras in Tennessee frequently benefit out-of-town vendors more than the cities or counties that have installed them; and

WHEREAS, the City of Knoxville received \$3 million in camera-related fines, compared to the \$5 million received by the private vendor with which the city contracted; and

WHEREAS, the City of Memphis received \$3.1 million in camera-related fines, compared to the \$4.8 million received by the Arizona-based vendor with which the city contracted; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-198, is amended by adding the following language as a new subsection:

(o)

(1)

(A) On or after July 1, 2015, no political subdivision of this state shall install, operate, or maintain an unmanned traffic enforcement camera to enforce or monitor traffic violations or enter into or renew any

contract with a person or entity to install, operate, or maintain an unmanned traffic enforcement camera to enforce or monitor traffic violations unless all fines, additional fees, and court costs collected by a local government from the use of unmanned traffic cameras are transferred quarterly to the state treasury to be deposited in the drive to college fund pursuant to this subsection (o).

(B) A local government may charge and collect a reasonable administrative fee to cover the cost of remitting such funds to the state treasury.

(2) There is created in the state treasury a fund to be known as the “drive to college fund.” Moneys shall be deposited in the fund according to subdivision (o)(1). Moneys in the fund shall be invested according to title 9, chapter 4, part 6, for the sole benefit of the fund. All earnings attributable to investment of moneys in the fund shall be credited to the fund. Amounts remaining in the fund at the end of each fiscal year shall not revert to the general fund.

(3) Subject to the appropriations in the general appropriations act, moneys in the drive to college fund shall be allocated solely to provide additional Tennessee student assistance awards under title 49, chapter 4, part 3.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.