



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1076

S.P. 445

In Senate, March 9, 2023

An Act to Expand the Use of Traffic Cameras for School and Work Zones

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DAUGHTRY of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 29-A MRSA §2117**, as amended by PL 2019, c. 318, §1, is further amended
3 to read:

4 **§2117. Use of traffic surveillance cameras restricted**

5 Except as provided in subsections 1 ~~and~~, 2, 3 and 4, the State or a municipality may
6 not use a traffic surveillance camera to prove or enforce a violation of this Title. For
7 purposes of this section, "traffic surveillance camera" means a device that, in conjunction
8 with a lighted traffic-control device or a lane direction control device, as described in
9 section 2057, subsections 1 and 3, or a speed measurement device as described in section
10 2075, subsection 4, automatically produces one or more photographs, one or more
11 microphotographs, a videotape or any other recorded image of a vehicle at the time the
12 vehicle is operated in violation of state law.

13 **1. School buses.** The State or a municipality may use a traffic surveillance camera
14 mounted on a school bus in conjunction with a lighted traffic-control device to prove or
15 enforce a violation of section 2308, subsection 2. A photograph, microphotograph,
16 videotape or other recorded image or audio produced by a traffic surveillance camera
17 mounted on a school bus is confidential and may only be released to a law enforcement
18 officer for the purpose of an investigation into a violation of the law or to a law enforcement
19 officer, prosecutor, defendant or court for the purpose of a prosecution of a violation of the
20 law.

21 ~~The state or a municipality may not retain a photograph, microphotograph, videotape or~~
22 ~~other recorded image or audio produced by a traffic surveillance camera mounted on a~~
23 ~~school bus for more than 30 days from the date of production unless it is released in~~
24 ~~accordance with this subsection.~~

25 ~~For the purposes of this subsection, "prosecutor" means a person who by virtue of public~~
26 ~~employment is vested by law with a duty to prosecute offenders for crimes, whether that~~
27 ~~duty extends to all crimes or is limited to specific crimes.~~

28 **1-A. Definition.** For the purposes of this section, "prosecutor" means a person who
29 by virtue of public employment is vested by law with a duty to prosecute offenders for
30 crimes, whether that duty extends to all crimes or is limited to specific crimes.

31 **2. Toll enforcement.** The Maine Turnpike Authority may use a photo-monitoring
32 system, as defined by Title 23, section 1980, subsection 2-A, paragraph B, subparagraph
33 (4), for toll enforcement purposes.

34 **3. School zones.** The State or a municipality may use a traffic surveillance camera
35 equipped with a speed measurement device in a school zone to prove or enforce a violation
36 of section 2074, subsection 1, paragraph A. A photograph, microphotograph, videotape or
37 other recorded image or audio produced by a traffic surveillance camera mounted in a
38 school zone is confidential and may only be released to a law enforcement officer for the
39 purpose of an investigation into a violation of the law or to a law enforcement officer,
40 prosecutor, defendant or court for the purpose of a prosecution of a violation of the law.

41 **4. Public ways under construction.** The State or a municipality may use a traffic
42 surveillance camera equipped with a speed measurement device in a portion of a public
43 way under construction to prove or enforce a violation of section 2075, subsection 2. A

1 photograph, microphotograph, videotape or other recorded image or audio produced by a
2 traffic surveillance camera mounted in a public way under construction is confidential and
3 may only be released to a law enforcement officer for the purpose of an investigation into
4 a violation of the law or to a law enforcement officer, prosecutor, defendant or court for
5 the purpose of a prosecution of a violation of the law.

6 **5. Retention of data.** The State or a municipality may not retain a photograph,
7 microphotograph, videotape or other recorded image or audio produced by a traffic
8 surveillance camera mounted on a school bus, in a school zone or in a public way under
9 construction for more than 30 days from the date of production unless it is released in
10 accordance with this subsection.

11 SUMMARY

12 This bill expands the authorized use of traffic surveillance cameras to school zones and
13 portions of a public way under construction. The bill makes the data of the cameras
14 confidential and restricts the dissemination of the data to only the purposes of investigation
15 or prosecution of a violation of the law.